



CITY OF GRAPEVINE, TEXAS
REGULAR CITY COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 1, 2024

GRAPEVINE CITY HALL, COUNCIL CHAMBERS
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS

CALL TO ORDER: 5:30 p.m. – City Council Chambers

1. Invocation: Jonathan Cook, Associate Pastor at Grapevine First Baptist Church
2. Posting of the Colors and Pledges of Allegiance: Boy Scouts

CITIZEN COMMENTS

3. Any person who is not scheduled on the agenda may address the City Council under Citizen Comments or on any other agenda item by completing a Citizen Appearance Request form with the City Secretary. A member of the public may address the City Council regarding an item on the agenda either before or during the Council's consideration of the item, upon being recognized by the Mayor or upon the consent of the City Council. Citizens will have three (3) minutes to address Council. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action during Citizen Comments.

PRESENTATIONS

4. Mayor Tate to present a proclamation recognizing October 2024 as National Community Planning Month.
5. Mayor Tate to present a proclamation declaring October 2024 as Domestic Violence Awareness Month.
6. Mayor Tate to present a proclamation recognizing National Night Out on October 1, 2024.
7. Parks and Recreation Department staff to present information on the Carol of Lights and the Merry and Bright Drone Shows.

NEW BUSINESS

8. Consider nominations to the Tarrant Appraisal District Board of Directors and take any necessary action.

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

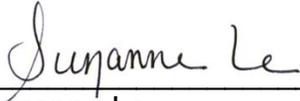
9. Consider approval of a contract to appoint Gilland Chenault as the second alternate municipal court judge to substitute in the temporary absence of the presiding judge and the first alternate judge. Chief Financial Officer recommends approval.
10. Consider the approval of an annual contract for OpenGov/Vertosoft cloud financial system. Chief Financial Officer recommends approval.
11. Consider the purchase of a three-year contract for 10GB internet circuit from Unite Private Networks. Chief Information Officer recommends approval.
12. Consider a firework permit for the Hello DMC, US Endo Event at Glass Cactus on October 5, 2024. Fire Chief recommends approval.
13. Consider a firework permit for the Colleyville Heritage High School Homecoming fireworks show on Wednesday, October 9, 2024. Fire Chief recommends approval.
14. Consider the renewal of annual contracts for temporary Employment Services with Abacus Corporation and Temporaries of Texas, Inc. Human Resources Director recommends approval.
15. Consider the renewal of annual contracts for trees and large shrubs with Southwest Wholesale Nursery and Unique Landscaping Design & Construction. Parks and Recreation Director recommends approval.
16. Consider the renewal of Campspot Reservation Software at The Vineyards Campground & Cabins. Parks and Recreation Director recommends approval.
17. Consider the purchase of plaster replacement at Dove Waterpark from Sunbelt Pools. Parks and Recreation Director recommends approval.
18. Consider the renewal of an annual contract for Christmas lighting and décor with installation and maintenance with First Choice Christmas Lights. Parks and Recreation Director recommends approval.
19. Consider the purchase of Internally Lighted Street Name (ILSN) arms from Structural and Steel Products. Public Works Director recommends approval.

20. Consider the purchase of Internally Lighted Street Name (ILSN) signs from Consolidated Traffic Controls, Inc. Public Works Director recommends approval.
21. Consider a contract for on-call construction inspection with Ardurra Group, Inc. Public Works Director recommends approval.
22. Consider the purchase of hydrated cement slurry from Martin Marietta. Public Works Director recommends approval.
23. Consider **Ordinance No. 2024-088** amending Sections 25-60 through 25-86 of Chapter 25 Utilities and Services relative to Industrial Wastewater Treatment of the City of Grapevine Code of Ordinances. Public Works Director recommends approval.
24. Consider **Resolution No. 2024-015** endorsing the implementation of a continuing pretreatment program for the central regional wastewater system. Public Works Director recommends approval.
25. Consider the third amendment to the on-call engineering services contract with Kimley-Horn and Associates, and **Ordinance No. 2024-089** appropriating the funds. Public Works Director recommends approval.
26. Consider the purchase of demolition services for the former Grapevine police and courts building from Precision Demolition for the Public Works Department and authorizing the City Manager to enter into an agreement for asbestos abatement in a total amount not to exceed \$200,000 and **Ordinance No. 2024-090** appropriating the funds. Public Works Director recommends approval.
27. Consider the minutes of the September 17, 2024, Regular City Council meeting. City Secretary recommends approval.

Pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.001 et seq, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in open session following conclusion of the executive session.

ADJOURNMENT

In accordance with the Open Meetings Law, Texas Government Code, Chapter 551, I hereby certify that the above agenda was posted on the official bulletin boards at Grapevine City Hall, 200 South Main Street and on the City's website on September 27, 2024, by 5:00 p.m.



Suzanne Le
Assistant to the City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact the City Secretary's Office at 817.410.3182 at least 24 hours in advance of the meeting. Reasonable accommodations will be made to assist your needs.

This meeting can be adjourned and reconvened, if necessary, the following regular business day.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER

MEETING DATE: OCTOBER 1, 2024

SUBJECT: CONTRACT FOR SECOND ALTERNATE MUNICIPAL COURT JUDGE

RECOMMENDATION: City Council to consider approval of a contract to appoint Gilland Chenault as the second alternate municipal court judge to substitute in the temporary absence of the presiding judge and the first alternate judge.

FUNDING SOURCE: Funding is available in the General Fund (Municipal Court).

BACKGROUND: The Grapevine Municipal Court of Record statute (Texas Government Code, Section 30.6940) and the related City Ordinance (Section 8-2(c) of the Grapevine Code of Ordinances) provide for the City Council's appointment of one or more qualified persons to serve in the temporary absence of the presiding municipal judge.

Gilland Chenault is a practicing attorney and also serves as the presiding judge for the City of Corinth, and as associate judge in multiple cities in Denton County. Gilland has served as a judge since 2012.

Staff recommends approval.

CONTRACT FOR APPOINTMENT OF SECOND
ALTERNATE MUNICIPAL JUDGE
FOR THE CITY OF GRAPEVINE, TEXAS

The City of Grapevine, Texas, in accordance with Section 8-2(c) of the Code of Ordinances of the City of Grapevine, by this instrument hereby enters into a contract with Gilland Chenault for appointment as Second Alternate Municipal Judge of the City of Grapevine, Texas.

The tenure of this appointment shall be (1) one year from the date of said signed contract. However, the Alternate Judge of the Municipal Court may be removed by a majority vote of the City Council for incompetency, corruption, misconduct or malfeasance in office, after due notice and an opportunity to be heard in his defense. Also, following due procedure, the Second Alternate Judge of the Municipal Court may be removed from office by City Council resolution declaring a lack of confidence in the Judge.

Said Second Alternate Municipal Judge shall perform the duties of the Municipal Judge when the Municipal Judge is temporarily unavailable to perform his duties.

Moreover, the Second Alternate Municipal Judge shall each year satisfy the annual continuing judicial education requirements of the Court of Criminal Appeals, pursuant to Texas Government Code Chapter 56, without compensation or reimbursement for such certification from the City of Grapevine.

The Second Alternate Judge shall be compensated \$60.00 per arraignment, \$85.00 per warrant and \$360.00 per docket for services rendered by him on behalf of the City of Grapevine, Texas as documented by the Court Administrator.

This contract is made and entered into by and between the City of Grapevine, Texas and Gilland Chenault, and shall be effective immediately upon its execution.

Signed this the _____ day of _____, 2024.

City of Grapevine, Texas

By: _____
Gilland Chenault
Alternate Municipal Judge

By: _____
Bruno Rumbelow
City Manager

ATTEST:

Tara Brooks
City Secretary

APPROVED:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: ANNUAL SOFTWARE CONTRACT FOR CLOUD FINANCIAL SYSTEM

RECOMMENDATION: City Council to consider the approval of an annual contract for OpenGov/Vertosoft cloud financial system.

FUNDING SOURCE: Funds are available in the General Fund and Utility Enterprise Fund in an amount not to exceed \$188,932.30.

BACKGROUND: In June, Council approved a contract to implement a new cloud financial system (OpenGov). This item seeks approval for the annual software payment for the enhanced system (cloud financials, budget and planning, and utility billing).

This purchase will be made in accordance with an existing interlocal agreement with The Texas Department of Information Resources (DIR) as allowed by Texas Local Government Code, Chapter 271 and Texas Government Code, Chapter 791.

Bids were taken by the Cooperative and a contract was awarded to Vertosoft. The Fiscal Services Department, IT staff, and Purchasing staff have reviewed the contract for departmental specification compliance and pricing, and determined that the contract would provide the best product and pricing for meeting the needs of the City.

Staff recommends approval.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: APPROVAL FOR AN INTERNET CIRCUIT FOR THE VINEYARDS AND MEADOWMERE CAMPGROUNDS

RECOMMENDATION: City Council to consider the purchase of a three-year contract for 10GB internet circuit from Unite Private Networks for Parks and Recreation and Information Technology Departments.

FUNDING SOURCE: Funds are available in the Utilities budget of the 119 Lake Park Revenue Fund for an estimated amount of \$20,592.

BACKGROUND: This request is to purchase a 10GB internet circuit that will be used for in-park Wi-Fi at The Vineyards Campground and Meadowmere Park. Currently these parks/facilities share only a 2GB FiOS consumer grade circuit. With this upgrade in bandwidth, PARD will have the ability to provide better connectivity for guests, camp hosts, and event support within these parks. Connectivity has become a high demand amenity for guests in the RV community in particular. This commercial grade service will also allow The Vineyards to eliminate the high cost of providing current coax cable service to each site throughout the park as guests will be able to take advantage of all their favorite streaming services.

Informal quotes were taken in accordance with the City Purchasing policy. Formal bids and advertisements are not required for purchases under \$50,000. Three quotes were submitted. Unite Private Networks submitted the lowest quote meeting specifications.

Staff recommends approval.

AP/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: REQUEST FOR APPROVAL FOR FIREWORK DISPLAY

RECOMMENDATION: City Council to consider a firework permit for the Hello DMC! US Endo Event at Glass Cactus on October 5, 2024.

FUNDING SOURCE:

BACKGROUND: Illumination Fireworks Partners, LP has submitted a firework permit application for a fireworks display. The fireworks display is for the Hello DMC! US Endo Event at Glass Cactus on Saturday, October 5, 2024. This will be a 1.4G fireworks display from the barge on Lake Grapevine. The display will start at 9 pm and will last three minutes.

Staff recommends approval.



Grapevine Fire Department

10.05.24 Hello DMC @
Glass Cactus

1007 IRA E. WOODS AVENUE
Phone: 817-410-4400
Fax: 817-410-4410

PERMIT APPLICATION

Application Date: September 16, 2024 Business Name: Illumination Fireworks Partners LP

Permit Address: Lake Grapevine - 1501 Gaylord Trail Grapevine, TX 76051

Permit Needed (Please check appropriate box/es)

- | | |
|--|--|
| <input type="checkbox"/> Amusement Buildings | <input type="checkbox"/> Hazardous Materials, Store, Use or Install |
| <input type="checkbox"/> Carnivals or Fairs | <input type="checkbox"/> High-Piled Storage, Storage over 12 feet |
| <input type="checkbox"/> Compressed Gases (over 200 cu. ft.) | <input type="checkbox"/> Open Burning, Recreational Fires are excluded |
| <input type="checkbox"/> Exhibits and Trade Shows | <input checked="" type="checkbox"/> Pyrotechnic or Fireworks Displays |
| <input type="checkbox"/> Fire Protection or Detection Systems, Install or modify | <input type="checkbox"/> Repair Garages and Fueling Stations |
| <input type="checkbox"/> Flammable or Combustible Liquids, Store, Use or Install | <input type="checkbox"/> Tents and Membrane Structures |
| | <input type="checkbox"/> Vehicle Displays in Public Buildings |
| | <input type="checkbox"/> Block Party |

Please attach plans, documents and any specifications for permit review.

Permit Time: Permanent Temporary Permit Type: Operational Construction

Applicant Information

Plans: New Revision Correction Application # _____ City Project/Property: Yes No

Submitting Company Name: Illumination Fireworks Partner sLP

Mailing Address: 1605 Crescent Circle, Suite 200

City, State, Country, Zip: Carrollton, Texas 75006

Company E-mail Address: Matthew@illuminationfireworks.com

Company Phone: 972-245-7976

Applicant Phone: 972-245-7976

Applicant E-mail Address: Matthew@illuminationfireworks.com

Name of Venue: Glass Cactus

Name of Event: 10.05.24 Hello DMC - US Endo | [BARGE] - Fireworks Display

Event Date/s: _____

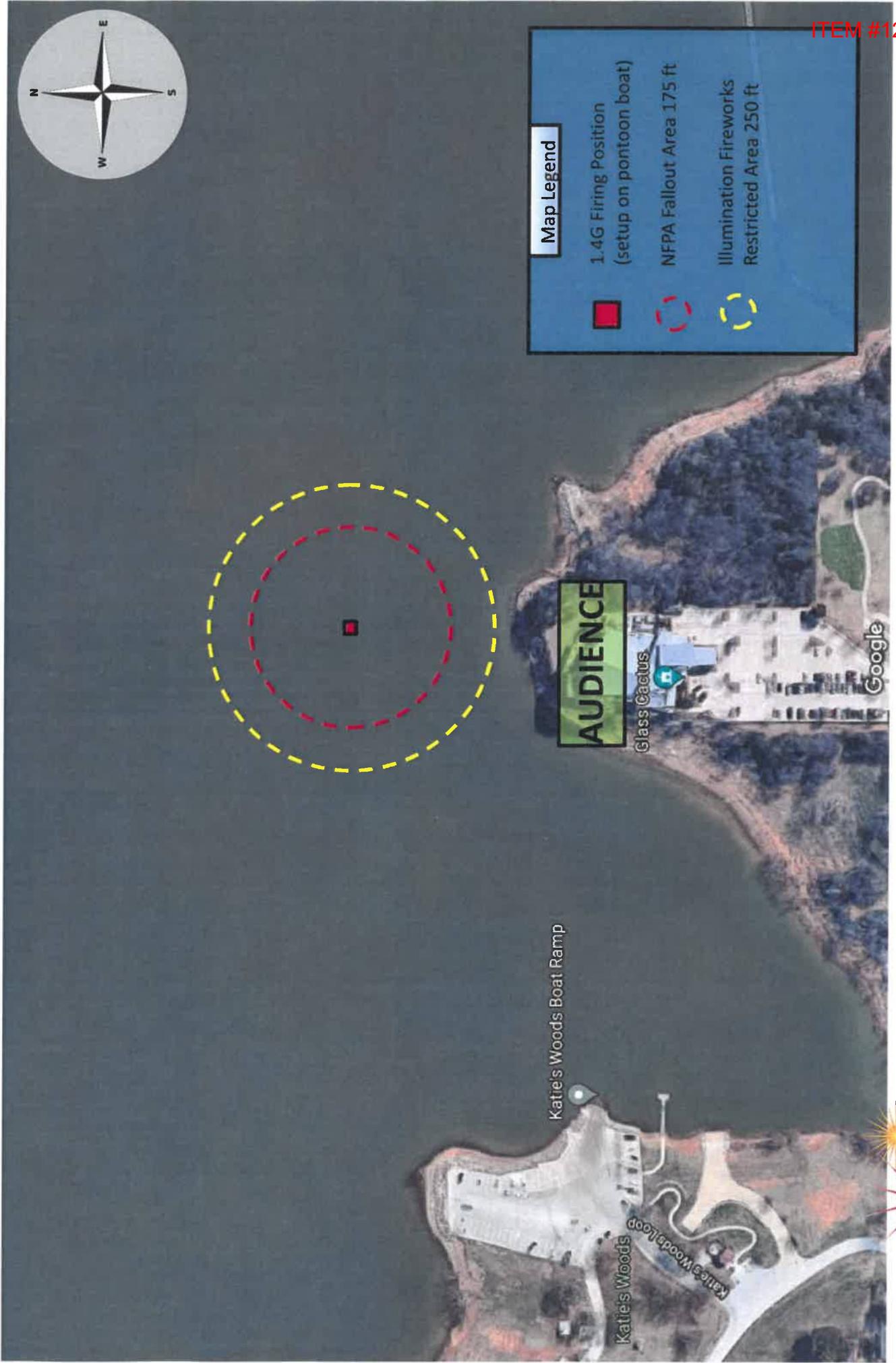
Details of Event or Process: Aaron Curl - 469-655-5677 - Lead Operator

3 minute fireworks display from barge on Lake Grapevine; Setup Complete: 8:00AM Time of Show: 9:00PM

Applicant Name and Title: Matthew Guy Hardin, President

Applicant Signature: Matthew Guy Hardin

10.05.24 - Hello DMC - Glass Cactus Site Plan



Boat ramp travel path



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: REQUEST FOR APPROVAL FOR FIREWORK DISPLAY

RECOMMENDATION: City Council to consider a firework permit for the Colleyville Heritage High School Homecoming fireworks show on Wednesday, October 9, 2024.

FUNDING SOURCE:

BACKGROUND: Pyro Shows of Texas has submitted a firework permit application for a fireworks display. The fireworks display is for the Colleyville Heritage High School Homecoming fireworks show on Wednesday, October 9, 2024. This will be a 1.3G fireworks display starting at 7:45 pm and lasting eight minutes, being shot from the field east of the ballfields at Colleyville Heritage High School.

Staff recommends approval.



Grapevine Fire Department

1007 Ira E. Woods Ave.
Grapevine, Texas 76051

Metro 817-410-4400
Fax 817-410-4410

preventionpermits@grapevinetexas.gov

PERMIT APPLICATION

Application Date: 09/17/2024

Business Name: Pyro Shows of Texas

Permit Address: 5401 Heritage Ave, Colleyville, Tx 76034 Field East of Baseball Fields on Campus

Permit Needed (Please check appropriate box/es)

- | | |
|--|--|
| <input type="checkbox"/> Amusement Buildings | <input type="checkbox"/> Hazardous Materials, Store, Use or Install |
| <input type="checkbox"/> Carnivals or Fairs | <input type="checkbox"/> High-Piled Storage, Storage over 12 feet |
| <input type="checkbox"/> Compressed Gases (over 200 cu. ft.) | <input type="checkbox"/> Open Burning, Recreational Fires are excluded |
| <input type="checkbox"/> Exhibits and Trade Shows | <input checked="" type="checkbox"/> Pyrotechnic or Fireworks Displays |
| <input type="checkbox"/> Fire Protection or Detection Systems, Install or modify | <input type="checkbox"/> Repair Garages and Fueling Stations |
| <input type="checkbox"/> Flammable or Combustible Liquids, Store, Use or Install | <input type="checkbox"/> Tents and Membrane Structures |
| | <input type="checkbox"/> Vehicle Displays in Public Buildings |
| | <input type="checkbox"/> Block Party |

Please attach plans, documents and any specifications for permit review.

Permit Time: Permanent Temporary

Permit Type: Operational Construction

Applicant Information

Plans: New Revision Correction

Application # _____

City Project/Property: Yes No

Submitting Company Name: Pyro Shows of Texas

Mailing Address: 6601 Nine Mile Azle Road

City, State, Country, Zip: Fort Worth, Tx, USA, 76135

Company E-mail Address: kweatherby@pyroshows.com

Company Phone: 817-237-3371

Applicant Phone: 432-940-9338

Applicant E-mail Address: kweatherby@pyroshows.com

Name of Venue: Colleyville Heritage High School

Name of Event: Colleyville Heritage High School Homecoming

Event Date/s: 10/09/2024

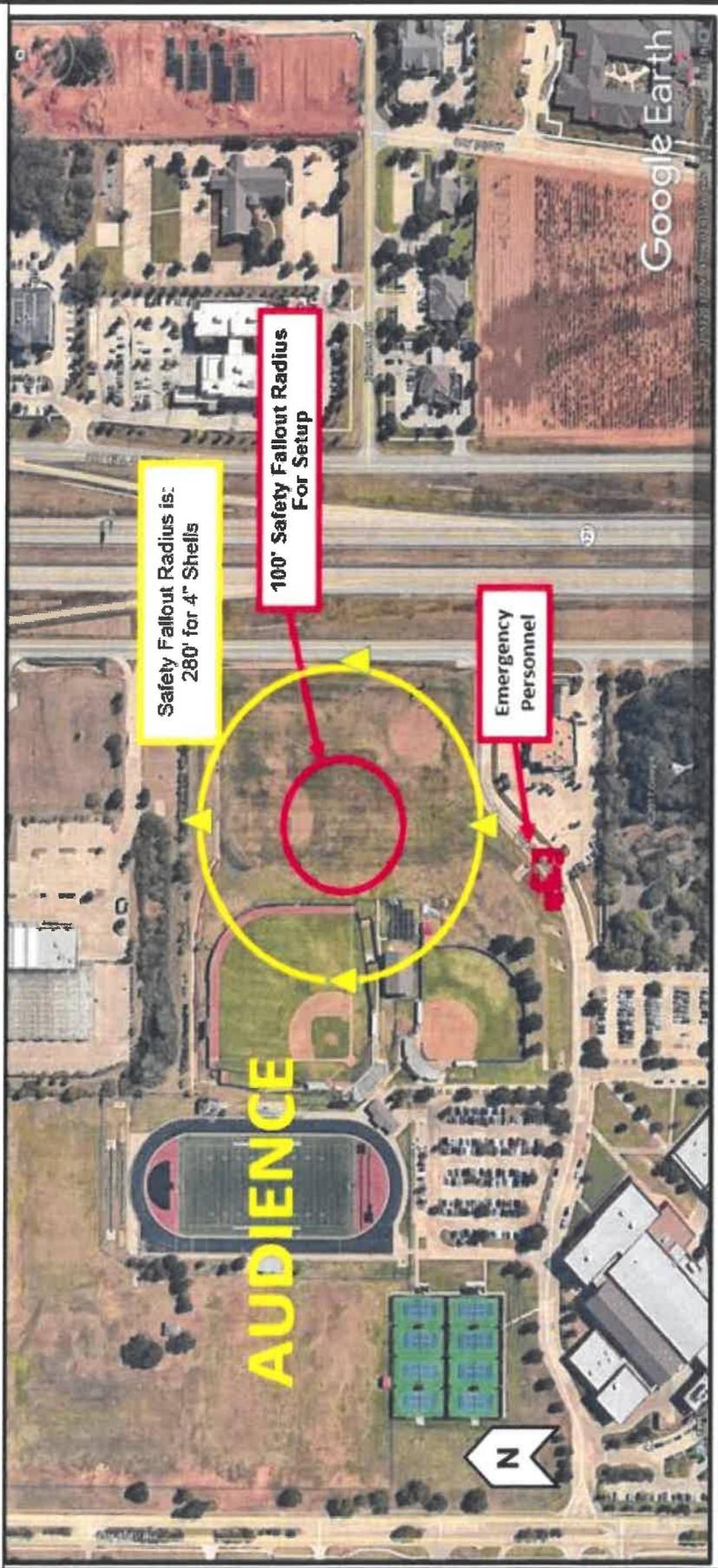
Details of Event or Process:

1.3G Outdoor Firework Display of 240-3", and 30-4" Aerial Shells at 7:45pm

Applicant Name and Title: Executive Assistant

Applicant Signature: 

SECURED AREA A MINIMUM OF 280 FEET FROM ALL SIDES OF THE FIRING SITE. NO SCHOOLS, CHURCHES, HOSPITALS, LICENSED CHILD CARE, HEALTH CARE, DETENTION, CORRECTIONAL FACILITY OR ASYLUMS WITHIN 600 FEET FROM ALL SIDES OF THE FIRING SITE. NO HAZARDOUS MATERIAL WITHIN 560 FEET FROM ALL SIDES OF THE FIRING SITES. COLLEYVILLE HERITAGE HIGH SCHOOL IS RESPONSIBLE FOR PERIMETER SECURITY.



Customer: Colleyville ISD
 Show Date: Wednesday, October 9, 2024
 Show Address: Field East of Ballfields on Campus Colleyville, TX 76034
 Show Site Lat / Long: 32.889028°, -97.100846°
 Show Time: 7:45 PM
 Rain Date: Thursday, September 7, 2023

Show Name: Colleyville Heritage HS Homecoming 2023
 Maximum Device Size: 4
 Safety Fallout Radius: 280'
 Storage Required: No
 Diagram Created: 08/26/24
 Diagram Created By:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: RENEWAL OF ANNUAL CONTRACTS FOR TEMPORARY EMPLOYMENT SERVICES

RECOMMENDATION: City Council to consider the renewal of annual contracts for temporary Employment Services with Abacus Corporation and Temporaries of Texas, Inc. for the Human Resources Department.

FUNDING SOURCE: Funds are available in the participating departmental funds as budgeted.

BACKGROUND: The purpose of this contract is to establish fixed annual pricing for temporary employment services for various departments. The primary contract will be with Abacus Corporation and the secondary will be with Temporaries of Texas, Inc.

Bids were taken in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.021 (a) and Section 252.041 (a). The contracts were for an initial one-year period with nine, one-year renewal options. If approved, this will be for the second renewal available.

Staff recommends approval.

RH/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: RENEWAL OF ANNUAL CONTRACTS FOR THE PURCHASE OF TREES AND LARGE SHRUBS

RECOMMENDATION: City Council to consider approval for the renewal of annual contracts for trees and large shrubs with Southwest Wholesale Nursery and Unique Landscaping Design & Construction for the Parks and Recreation Department.

FUNDING SOURCE: Funds are available in the Recreation Facilities, Grounds Maintenance, Landscaping PCMF, Professional Services budgets for an annual estimated amount of \$200,000.

BACKGROUND: The purpose of this contract is to establish fixed annual pricing for trees and large shrubs on an as-needed basis.

Bids were taken in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.021 (a) and Section 252.041 (a). The contract was for an initial one-year period, with four, one-year renewal options available. If, approved, this will be for the final renewal available.

Based on the evaluation of the bid by the Parks and Recreation Department and Purchasing staff, it was determined that a multiple award contract would be made to the lowest responsible and responsive bids meeting specifications. Awarding contracts to multiple vendors will help mitigate issues that may occur due to quality and supply fluctuation of plants and trees.

Staff recommends approval.

TS/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: RENEWAL FOR CAMPSPOT RESERVATION SOFTWARE AT THE VINEYARDS CAMPGROUND AND CABINS

RECOMMENDATION: City Council to consider the approval for the renewal of Campspot Reservation Software at The Vineyards Campground & Cabins for the Parks and Recreation Department.

FUNDING SOURCE: Funds are available in the Lake Parks Fund for an amount not to exceed \$35,000.

BACKGROUND: This is a renewal purchase for use of the Campspot Reservation System for The Vineyards Campground & Cabins and Meadowmere Park. There is a flat fee per transaction within the system which means fees owed are a percentage of revenue earned and not a typical fund obligation. The fee structure for Campspot system has proven to be more economical while also being a more robust, user-friendly product. This allows the campground and Meadowmere Park to lower the cost of doing business while providing a better service.

This procurement will be made in accordance with Local Government Code Chapter 252, Subchapter B, § 252.022. General Exemptions (a) (4), personal, professional or planning services.

Staff recommends approval.

RS/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: PURCHASE OF PLASTER REPLACEMENT AT DOVE WATERPARK

RECOMMENDATION: City Council to consider approval for the purchase of plaster replacement at Dove Waterpark from Sunbelt Pools for the Parks and Recreation Department.

FUNDING SOURCE: Funds for this purchase are available in the Aquatic Repairs and Replacement budget for a total amount not to exceed \$316,997.

BACKGROUND: Commercial plaster pools typically have a life expectancy of five to ten years for the plaster. The plaster for Dove Pool is currently twelve years old and is showing significant wear. PARD is requesting to replace the plaster before the wear becomes major and possibly causes damage to other components such as the filtration system and motors. It will take approximately six weeks to hydro-blast the existing plaster, update the tile, and replace the plaster.

This purchase will be made in accordance with an existing interlocal agreement with The Local Government Purchasing Cooperative (Buy Board) as allowed by Texas Local Government Code, Chapter 271 and Texas Government Code, Chapter 791.

Bids were taken by the Cooperative and a contract was awarded to Sunbelt Pools. The Parks and Recreation Department and Purchasing staff reviewed the contract for departmental specification compliance and pricing and determined that the contract would best meet the needs of the City.

Staff recommends approval.

KH/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: ANNUAL CONTRACT FOR CHRISTMAS LIGHTING AND DÉCOR WITH INSTALLATION AND MAINTENANCE

RECOMMENDATION: City Council to consider approval for the renewal of an annual contract for Christmas lighting and décor with installation and maintenance with First Choice Christmas Lights for the Parks and Recreation Department.

FUNDING SOURCE: Funds are available in various budget accounts for an annual estimated amount of \$150,000.

BACKGROUND: The purpose of this contract is to establish fixed annual pricing for the installation and removal of Christmas lighting and décor at various locations throughout the City of Grapevine for the Christmas Capital of Texas season. Professional services include lighting trees at uniform height and spacing, windows, columns, props and setting scenes per bid specifications to assist staff and enhance overall Christmas lighting and decoration presentation.

The City of Grapevine solicited a “Best Value Bid” in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.021 (a) and Section 252.041 (a). The contract was for an initial one-year period with nine, one-year renewal options available. If approved, this will be the first renewal option.

Staff recommends approval.

RS/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: PURCHASE OF INTERNALLY LIGHTED STREET NAME (ILSN) ARMS

RECOMMENDATION: City Council to consider approval for the purchase of internally lighted street name (ILSN) arms from Structural and Steel Products for the Public Works Department.

FUNDING SOURCE: Funds are available in the Permanent Capital Maintenance Fund for an amount not to exceed \$30,150.

BACKGROUND: The purchase of these ILSN arms will be dedicated to SH360 at Stone Myers and SH360 Eules Grapevine.

Informal quotes were taken in accordance with the City Purchasing Policy. Formal bids and advertisements are not required for purchases under \$50,000. Three quotes were submitted as noted below. Structural and Steel Products, Inc. submitted the lowest quote meeting specifications.

Structural and Steel Products, Inc \$30,150
Redwine Wallace & Associates \$33,289
Pelco Inc. No bid

Staff recommends approval.

LJ/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: PURCHASE OF INTERNALLY LIGHTED STREET NAME SIGNS

RECOMMENDATION: City Council to consider approval for the purchase of Internally Lighted Street Name (ILSN) signs from Consolidated Traffic Controls, Inc. for the Public Works Department.

FUNDING SOURCE: Funds are available in the Permanent Capital Maintenance Fund for an amount not to exceed \$30,157.

BACKGROUND: This purchase is for Internally Lighted Street Name (ILSN) signs and will be dedicated for SH360 at Stone Myers and SH360 at Euless Grapevine.

This purchase will be made in accordance with an existing interlocal agreement with Houston-Galveston Area Council (H-GAC) as allowed by Texas Local Government Code, Chapter 271 and Texas Government Code, Chapter 791.

Bids were taken by the Cooperative and a contract was awarded to Consolidated Traffic Controls, Inc. The Public Works and Purchasing staff reviewed the contract for departmental specification compliance and pricing and determined that the contract would provide the best product and pricing for meeting the needs of the City.

Staff recommends approval.

LJ/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: APPROVAL OF THE ON-CALL SERVICES CONSTRUCTION INSPECTION CONTRACT

RECOMMENDATION: City Council to consider the on-call construction inspection contract with Ardurra Group, Inc.

FUNDING SOURCE: Funds will be available in the General Fund (various departments), Capital Project Streets Fund, Utility Enterprise Fund and Storm Drainage Utility Fund in an estimate amount of \$75,000.

BACKGROUND: This agreement is to provide construction inspection duties and responsibilities for construction phase activities related to City of Grapevine construction projects on an as-needed basis. Ardurra will provide part-time on-site technical observation of contractor activities to verify and ensure all work materials, structures, equipment, and workmanship comply with contract plans, documents, and City standards. Ardurra will also provide materials testing coordination.

Staff recommends approval.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: PURCHASE OF HYDRATED CEMENT SLURRY FOR KIMBALL ROAD

RECOMMENDATION: City Council to consider the approval for the purchase of hydrated cement slurry from Martin Marietta for the Public Works Street Department.

FUNDING SOURCE: Funds are available in the Transportation Infrastructure Maintenance budget for an amount not to exceed \$59,440.

BACKGROUND: This purchase is for Hydrated Cement that is to be applied to the subgrade of Snakey Lane by Tarrant County.

This purchase will be made in accordance with an existing interlocal agreements with Tarrant County Texas. Purchases through this program are authorized under Texas Local Government Code, Chapter 271 and Texas Government Code, Chapter 791.

Bids were taken by the cooperative and a contract was awarded to Martin Marietta. The Public Works and Purchasing Department staff reviewed the contract for departmental specification compliance and pricing and determined that the contract would provide the best product and pricing for meeting the needs of the City.

Staff recommends approval.

KH/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: AMENDMENT TO INDUSTRIAL WASTEWATER TREATMENT ORDINANCE

RECOMMENDATION: City Council to consider amending Sections 25-60 through 25-86 of Chapter 25 Utilities and Services relative to Industrial Wastewater Treatment of the City of Grapevine Code of Ordinances.

FUNDING SOURCE: This action will have no material effect on City funds.

BACKGROUND: Wastewater treatment facilities operate under the authority of permits granted by the United States Environmental Protection Agency and the State of Texas. These permits may contain a subsection requiring an approved Industrial Pretreatment Ordinance.

The Wastewater Treatment Plant is designed to easily treat normal residential wastewater. However, industrial waste may have a deleterious effect on the plant's ability to effectively treat the waste. This is due to high concentrations of pollutants such as heavy metals, pH, temperature, oils and greases, non-biodegradable products, insecticides and herbicides. The objectives of this ordinance is to protect the wastewater treatment process and ensure the plant can continue to operate efficiently while accommodating industrial discharges.

This ordinance clarifies the process by which an industry can apply for a permit and discharge industrial waste to the wastewater system. The ordinance was last amended in 2004.

Staff recommends approval.

ORDINANCE NO. 2024-088

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 25-60 THROUGH 25-75 OF CHAPTER 25 UTILITIES AND SERVICES RELATIVE TO INDUSTRIAL WASTEWATER TREATMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Grapevine is authorized to adopt ordinances to protect the health, safety, and welfare of the public; and

WHEREAS, the City of Grapevine is required by 40 CFR § 403.8 to adopt a system for industrial waste discharge permits; and

WHEREAS, the City of Grapevine is authorized by the Texas Water Code to adopt such a system; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the preamble of this ordinance are found to be true and correct and are incorporated herein as if copied in their entirety.

Section 2. That Chapter 25, Article II, Division 3. Industrial Wastes, Sections 25-60 through 25-75 are hereby deleted in their entirety and replaced in their entirety with the attached Exhibit "A".

Section 3. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto, any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Any person violating any of the provisions of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) for each offense and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 5. The fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace, and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, on this the 1st day of October, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

Attachment "A"

SUBDIVISION 1 – GENERAL PROVISIONS**Section 25-61 Purpose and Policy**

- A. This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the City of Grapevine and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code §§ 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this ordinance are:
- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
 - (3) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
 - (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
 - (6) To enable the Control Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.
- B. This ordinance shall apply to all Users of the Publicly Owned Treatment Works, which includes Trinity River Authority of Texas and City of Grapevine. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Section 25-62 Administration

Except as otherwise provided herein, the Director of Public Works shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the Director of Public Works may be delegated by the Director of Public Works to other City personnel.

Section 25-63 Abbreviations

The following abbreviations, when used in this ordinance, shall have the designated meanings:

- BOD - Biochemical Oxygen Demand
- BMP - Best Management Practice
- BMR - Baseline Monitoring Report
- CFR - Code of Federal Regulations
- CIU - Categorical Industrial User
- COD - Chemical Oxygen Demand
- EPA - United States Environmental Protection Agency
- gpd - gallons per day
- IU - Industrial User
- mg/l - milligrams per liter
- NAICS- North American Industrial Classification System
- NPDES- National Pollutant Discharge Elimination System
- NSCIU- Non-Significant Categorical Industrial User
- POTW- Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIC - Standard Industrial Classification

- SIU - Significant Industrial User
- SNC - Significant Noncompliance
- TPDES – Texas Pollutant Discharge Elimination System
- TRA - Trinity River Authority of Texas
- TSS - Total Suspended Solids
- TTO - Total Toxic Organics
- U.S.C.- United States Code

Section 25-64 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

- A. Act or “the Act.” The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.
- B. Approval Authority. The Executive of the Texas Commission on Environmental Quality (TCEQ) where the state has been delegated NPDES permit authority and has an approved pretreatment program.
- C. Authorized Representative of the User.
 - (1) If the User is a corporation:
 - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been

assigned or delegated to the manager in accordance with corporate procedures.

- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - (3) If the User is a Federal, State, or Local governmental facility: A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - (4) The individuals described in paragraphs (1) through (3), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
- D. Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 25-65 (A) and (B) [40 CFR §§ 403.5(a)(1) and 403.5(b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- E. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
- F. Categorical Industrial User (CIU). An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.
- G. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405 - 471.
- H. City. The City of Grapevine or the City Council of Grapevine.
- I. Composite Sample. A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected at constant time intervals providing a sample irrespective of stream flow; or as a flow proportional composite sample: collected either as a

constant sample volume at time intervals proportional to flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

- J. Control Authority. Trinity River Authority of Texas as holder of the TPDES permit.
- K. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- L. Director of Public Works. The person designated by the City who is charged with certain duties and responsibilities by the ordinance, or a duly Authorized Representative.
- M. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division, Director, or other duly authorized official of said agency.
- N. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by the EPA of proposed categorical pretreatment standards, which will be applicable to the source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- O. Extrajurisdictional User. A User the City has determined requires a permit to discharge, other than a local government, which is located outside the jurisdiction of the City, and which discharges or plans to discharge to the POTW.
- P. Grab Sample. A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- Q. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
- R. Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- S. Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment

processes or operations, or its sludge processes, use, or disposal; and therefore is a cause of a violation of the Control Authority's NPDES or TPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act, the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); 40 CFR § 503, sludge regulations; any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act and 30 TAC 312; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

- T. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- U. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- V. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- W. New Source.
 - (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, which will be applicable to the source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (a) Begun, or caused to begin, as part of a continuous onsite construction program:
 - 1. Any placement, assembly, or installation of facilities or equipment; or
 - 2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- X. Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- Y. Normal Wastewater. Wastewater which the average concentration of suspended solids and five-day BOD does not exceed 250 mg/l each.
- Z. North American Industry Classification System (NAICS). A system used by the Federal Government for collecting and organizing industry-related statistics. The NAICS codes are updated every five years to stay current with industry developments.
- AA. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Control Authority's NPDES or TPDES permit, including an increase in the magnitude or duration of a violation.

- BB. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- CC. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
- DD. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural, and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- EE. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing the pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- FF. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.
- GG. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
- HH. Process Wastewater. Water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, waste product, or wastewater, and/or as defined in a National Pretreatment Standard.
- II. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 25-65 of this ordinance.
- JJ. Publicly Owned Treatment Works or POTW. A “treatment works”, as defined by Section 212 of the Act (33 U.S.C. § 1292), which is owned by the City and/or the Control Authority. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.
- KK. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

LL. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

MM. Shall is mandatory; May is permissive.

NN. Significant Industrial User.

(1) SIUs

(a) A User subject to categorical pretreatment standards; or

(b) A User that:

1. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
2. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
3. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(c) Upon a finding that a User meeting the criteria in Subsection (b) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR § 403.8(f)(6), determine that the User should not be considered a Significant Industrial User.

(2) NSCIUs

(a) The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User (SIU) on a finding of any of the three criteria below:

1. The Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown

wastewater, unless specifically included in the Pretreatment Standard);

2. The Industrial User is required by a categorical Pretreatment Standard to not discharge categorical wastewater. An Industrial User that meets this criterion shall continue to be prohibited from discharging categorical wastewater; or
3. The Industrial User is subject to numeric categorical Pretreatment Standard(s) and does not discharge categorical wastewater.

(b) The following conditions must be met for an Industrial User classified as a NSCIU:

1. The Industrial User, prior to City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
2. The Industrial User annually submits the certification statement required in Section 25-82(B)(3) [see 40 CFR § 403.12(q)], together with any additional information necessary to support the certification statement; and
3. The Industrial User never discharges any untreated concentrated wastewater.

OO. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 25-65 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any way violate the POTW's regulations, Local Limits or permit conditions.

PP. Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

QQ. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

RR. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

- SS. Total Toxic Organics or TTO. The sum of the masses or concentration of the toxic organic compounds listed in 40 CFR § 122 Appendix D, Table 2, excluding pesticides, found in an Industrial User's discharge at a concentration greater than 0.01mg/L. For categorical SIU's, with categorical TTO monitoring requirements, TTO parameter selection is specific to the federal category.
- TT TPDES. Texas Pollutant Discharge Elimination System permit program of the Texas Commission on Environmental Quality with federal regulatory authority to act on an approved pretreatment program.
- UU. User or Industrial User (IU). A source of indirect discharge.
- VV. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- WW. Wastewater Treatment Plant or Treatment Plant. The portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

SUBDIVISION 2 - SEWER USE; INDUSTRIAL DISCHARGES**Section 25-65 Prohibited Discharge Standards**

- A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

Storm water and all other unpolluted drainage shall be discharged to sewers that are specifically designated as storm sewers, or to a natural outlet approved by the Director of Public Works. No liquid, semi-liquid, ready mixed concrete, mortar, asphalt material, or chemical waste shall be deposited in any area that will drain to the storm sewer or natural outlet.

- B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR § 261.21;
 - (2) Wastewater having a pH less than 5.5 or more than 11.0, or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, blockage, or damage to the POTW;
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
 - (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference and/or pass through, and in amounts specified in Section 25-67 of this ordinance.
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

- (8) Trucked or hauled pollutants, except at discharge points designated by the Director of Public Works and in accordance with Section 25-76 of this ordinance;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the applicable NPDES or TPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, and unpolluted wastewater, unless specifically authorized by the Director of Public Works;
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes, except as specifically authorized by the Director of Public Works, that do not cause or contribute to Pass Through and/or Interference;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than that specified in the applicable local limits in Section 25-67;
- (18) A discharge of water, normal domestic wastewater, or industrial waste which in quantity of flow exceeds, for a duration of longer than fifteen minutes, more than four times the average twenty-four-hour flow during normal operations of the industry;
- (19) Insecticides and herbicides in concentrations that are not amenable to treatment;

- (20) Garbage that is not properly shredded to such an extent that all particles will be carried freely under the flow conditions normally prevailing in wastewater mains, with no particle having greater than one-half (1/2) inch cross-sectional dimension;
 - (21) Wastewater or industrial waste generated or produced outside the City, unless approval in writing from the Director of Public Works has been given to the person discharging the waste; or
 - (22) Without the approval of the Director of Public Works, a substance or pollutant other than industrial waste, normal domestic wastewater, septic tank waste, or chemical toilet waste that is of a toxic or hazardous nature, regardless of whether or not it is amenable to treatment, including but not limited to bulk or packaged chemical products.
- C. Processing and Storage. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Section 25-66 National Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

- A. Where a categorical pretreatment standard is expressed in terms of either the mass or the concentration of a pollutant in wastewater, the Director of Public Works may impose equivalent concentration or mass limits in accordance with 40 CFR § 403.6(c)(1).
- B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director of Public Works shall impose an alternate limit using the combined wastestream formula in 40 CFR § 403.6(e).
- C. A User may obtain a variance from a categorical pretreatment standard if the User can prove, pursuant to the procedural and substantive provisions in 40 CFR § 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.
- D. A User may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR § 403.15.

Section 25-67 Local Discharge Limits

- A. The following pollutant limits are established to protect against Pass Through and Interference and apply at the point where the wastewater is discharged to the POTW. No person shall discharge, or cause or permit to be discharged, wastewater containing in excess of the following instantaneous maximum allowable discharge limits.

- (1) Toxic Pollutants specified in the following table:

Toxic Pollutant	Instantaneous Maximum Allowable Discharge Limit (mg/L)
Arsenic	0.2
Cadmium	0.1
Chromium	2.1
Copper	1.8
Cyanide	0.4
Lead	1.2
Mercury	0.06
Molybdenum	0.5
Nickel	3.3
Selenium	0.2
Silver	0.8
Zinc	6.1
Oil and Grease	200
pH	5.5-11.0 S.U.

All concentrations for metallic substances are for “total” metal unless indicated otherwise. The Director of Public Works may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

Section 25-68 City’s Right of Revision

The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

Section 25-69 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Director of Public Works may impose mass limitations on Users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

Section 25-70 Plant Loading

No industry shall discharge wastewater containing a BOD or TSS loading that causes the City's prorata share of the total BOD or TSS loading to the POTW system to exceed the City's prorata share of the total flow to the POTW system. (Example: if the City contributes 25% of the total wastewater flow to the System, the City's cumulative BOD or TSS loading to the System, as measured at the City's points of entry to the System, shall not exceed 25% of the total BOD or TSS loading to the System.)

Any industry with a wastewater strength that will cause the City's cumulative wastewater loading, at the City's points of entry, to exceed the City's prorata share of the total wastewater loading based upon flow, shall be required to install pretreatment facilities to reduce its wastewater strength to an acceptable level.

Section 25-71 Pretreatment Facilities; Plans

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 25-65 of this ordinance within the time limitations specified by EPA, the State, or the Director of Public Works, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director of Public Works for review, and shall be acceptable to the Director of Public Works before the facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.

Section 25-72 Discharge Flow; Conditions

- A. Whenever deemed necessary, the Director of Public Works may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and require such other conditions as may be necessary to protect

the POTW and determine the User's compliance with the requirements of this ordinance.

- B. The Director of Public Works may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

Section 25-73 Grease, Oil, and Sand Interceptors

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director of Public Works, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that these interceptors shall not be required for residential Users. All interception units shall be of type and capacity approved by the Director of Public Works and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the User at the User's expense.

Section 25-74 Gas Detection Meters and Other Control Devices

Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter or other control device as deemed necessary by the Director of Public Works.

Section 25-75 Slug Control Plans

- A. The Director of Public Works shall evaluate whether each permitted Significant Industrial User needs a slug control plan or other action to control Slug Discharges no later than (1) one year of the SIU determination. The Director of Public Works may require any User to develop, submit for approval, and implement such a plan. All the activities associated with Slug Control evaluation and results are to be kept in the Industrial User file.
- B. A slug control plan shall address, at a minimum, the following:
 - (1) Description of discharge practices, including nonroutine batch discharges;
 - (2) Description of stored chemicals;
 - (3) Procedures for immediately notifying the Director of Public Works and Control Authority of any Slug Discharge, as required by Section 25-97 of this ordinance; and

- (4) Procedures to prevent adverse impact from any Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Section 25-76 Hauled Wastewater; Discharge; Permit

- A. Septage waste may be introduced into the POTW only at locations designated by the Director of Public Works and Control Authority, and at such times as are established by the Director of Public Works and Control Authority. Such waste shall not violate Sections 25-65 through 25-67 of this ordinance or any other requirements established by the City. The Director of Public Works and/or Control Authority may require septic tank waste haulers to obtain wastewater discharge permits.
- B. Septage waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of generator, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

Section 25-77 Best Management Practices

- A. The Director of Public Works may develop Best Management Practices (BMPs), and require Users to implement such BMPs if necessary to protect the POTW. Such BMPs would be supplemental and not used as a replacement for compliance with Local Limits listed in Section 25-67 and Prohibited Discharge Standards in Section 25-65.

SUBDIVISION 3 - WASTEWATER DISCHARGE PERMIT

Section 25-78 Wastewater Analysis Required Upon Request

When requested by the Director of Public Works, a User must submit information on the nature and characteristics of its wastewater by the deadline stipulated. The Director of Public Works is authorized to prepare a form for this purpose and may periodically require Users to update this information.

Section 25-79 Permit Required

- A. No Significant Industrial User (SIU) or Non-Significant Categorical Industrial User (NSCIU) shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Director of Public Works, who may disallow any or all discharges until a wastewater discharge permit is issued, except that a SIU or a NSCIU that has filed a timely application pursuant to Section 25-80 of this ordinance may continue to discharge for the time period specified therein.
- B. The Director of Public Works may require other Users to submit a completed permit application or survey form, including monitoring data, and to obtain wastewater discharge permits as necessary to carry out the purposes of this ordinance. To determine the status of a User in relation to this ordinance, Users may be required to perform sampling as specified by the Director of Public Works.
- C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 25-109 through 25-117 and Section 25-116 of this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of the obligation to comply with all Federal and State pretreatment standards or requirements with any other requirements of Federal, State, and local law.

Section 25-80 Existing Industrial Users; Permit

Any User required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within ninety (90) days after that date, apply to the Director of Public Works for a wastewater discharge permit in accordance with Section 25-82 (A) of this ordinance, and shall not cause or allow discharges to the POTW to continue after ninety (90) days of the effective date of this ordinance except in accordance with a wastewater discharge permit issued by the Director of Public Works. If, in the Director of Public Works's judgment, the passing of the ordinance does not significantly affect the Industrial User's current permit, then the existing permit may continue through to the expiration date.

Section 25-81 New Industrial Users; Permit

Any User required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain that permit prior to the beginning or recommencing of the discharge. An application for this wastewater discharge permit, in accordance with Section 25-82 (A) of this ordinance, must be filed prior to the date upon which any discharge will begin or recommence.

Section 25-82 Permit Application; Content; Signatories and Certification

- A. Permit application. All Users required to obtain a wastewater discharge permit must submit a permit application.
- (1) The Director of Public Works may require all Users to submit as part of an application the following information:
 - (a) All information required by Section 25-92 (B) of this ordinance;
 - (b) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - (d) Each product produced by type, amount, process or processes, and rate of production;
 - (e) Type and amount of raw materials processed (average and maximum per day);
 - (f) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - (g) Time and duration of discharges; and
 - (h) Any other information as may be deemed necessary by the Director of Public Works to evaluate the wastewater discharge permit application.
 - (2) Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.
- B. Signatories and certification.
- (1) An Authorized Representative of the User must sign all wastewater discharge permit applications, User reports, and enforcement responses. Wastewater discharge permit applications and User reports as identified in 40 CFR § 403.12(b), (d), (e), and (h), must contain the following certification statement: "I certify under penalty of law that this document and all

attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

- (2) If the designation of an Authorized Representative of the User is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director of Public Works prior to or together with any reports to be signed by an Authorized Representative of the User.
- (3) A facility determined to be a Non-Significant Categorical Industrial User (NSCIU) by the Director of Public Works pursuant to Section 25-64 (NN)(2) must annually submit the signed certification statement signed in accordance with the signatory requirements in Section 25-64 (C). This certification must accompany an alternative report required by the Director of Public Works:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR § _____, I certify, to the best of my knowledge and belief, that during the period from _____, _____ to _____, _____ [months, days, year]:

- (a) The facility described as _____[facility name] met the definition of a Non-Significant Categorical Industrial as described in Section 25-64 (NN)(2); [Note: See 40 CFR § 403.3(v)(2)]
- (b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.
- (c) This compliance certification is based on the following information.

_____”

Section 25-83 Evaluation and Decision

The Director of Public Works will evaluate the data furnished by the User and may require additional information. Within a reasonable time from receipt of a complete wastewater discharge permit application, the Director of Public Works will determine whether to issue a wastewater discharge permit. The Director of Public Works may deny any application for a wastewater discharge permit.

Section 25-84 Permit Duration

A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Director of Public Works. Each wastewater discharge permit will indicate a specific date upon which it will expire.

Section 25-85 Permit Content; Conditions

- A. A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director of Public Works to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.
- B. Wastewater discharge permits must contain:
 - (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
 - (2) A statement that the wastewater discharge permit is non-transferable without prior notification to the City in accordance with Section 25-87 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - (3) Effluent limits including Best Management Practices based on applicable pretreatment standards;
 - (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements including those for BMPs. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law;

- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law; and
 - (6) Requirements to control Slug Discharge, if determined by the Director of Public Works to be necessary.
- C. Wastewater discharge permits may contain, but need not be limited to, the following conditions:
- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 - (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 - (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 - (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit;
 - (8) Requirements to implement BMPs, if determined by the Director of Public Works to be necessary; and
 - (9) Other conditions as deemed appropriate by the Director of Public Works to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

Section 25-86 Permit Modification

The Director of Public Works may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the POTW, POTW personnel, or the receiving waters;
- E. Violation of any terms or conditions of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR § 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit; or
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator.

Section 25-87 Permit Transfer; Notice and Approval

- A. Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives a minimum of sixty (60) days advance notice to the Director of Public Works and the Director of Public Works approves the wastewater discharge permit transfer. The notice to the Director of Public Works must include a written certification by the new owner or operator which:
 - (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and

- (3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.
- B. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

Section 25-88 Permit Revocation

- A. The Director of Public Works may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) Failure to notify the Director of Public Works of significant changes to the wastewater prior to the changed discharge;
 - (2) Failure to provide prior notification to the Director of Public Works of changed conditions pursuant to Section 25-96 of this ordinance;
 - (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - (4) Falsifying self-monitoring reports;
 - (5) Tampering with monitoring equipment;
 - (6) Refusing to allow the Director of Public Works timely access to the facility premises and records;
 - (7) Failure to meet effluent limitations;
 - (8) Failure to pay fines;
 - (9) Failure to pay sewer charges;
 - (10) Failure to meet compliance schedules;
 - (11) Failure to complete a wastewater survey or the wastewater discharge permit application;
 - (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - (13) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.

- B. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular User are void upon the issuance of a new wastewater discharge permit to that User.

Section 25-89 Permit Reissuance

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 25-82 (A) of this ordinance, a minimum of sixty (60) days prior to the expiration of the User's existing wastewater discharge permit.

Section 25-90 Regulation of Waste Received from Other Jurisdictions

- A. A municipality which contributes wastewater to the POTW, shall enter into an interlocal agreement with the City prior to contributing such wastewater.
- B. Prior to the City entering into an interlocal agreement as provided in subsection A, the City may request the following information from the contributing municipality:
 - (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the City may deem necessary.

Section 25-91 Extrajurisdictional Users

- A. An Extrajurisdictional User shall apply for a permit in accordance with this ordinance at least ninety (90) days prior to discharging to the POTW.
- B. This section does not apply to extrajurisdictional users in jurisdictions which have an agreement with the City pursuant to Section 25-90.
- C. A wastewater discharge permit issued to an extrajurisdictional user shall be in the form of a contract, and must include, at a minimum, the components found in 40 CFR § 403.8(f)(1)(iii) and shall require the approval of the City's council. An extrajurisdictional user shall agree to all the terms of this ordinance and the terms of its wastewater discharging contract in accordance with the procedures set forth in Section 25-101 of this ordinance prior to discharging into the POTW.

SUBDIVISION 4 - COMPLIANCE MONITORING; REPORTING REQUIREMENTS

Section 25-92 Baseline Monitoring Reports

- A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR § 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Director of Public Works a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that will become Categorical Industrial Users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director of Public Works a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- B. Users described above shall submit the information set forth below.
- (1) Identifying Information. The name and address of the facility, including the name of the operator and owner.
 - (2) Environmental Permits. A list of any environmental control permits held by or for the facility.
 - (3) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications and/or North American Industry Classifications (NAICS) of the operation(s) carried out by the User. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - (4) Flow measurement. Information showing the measured or estimated average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR § 403.6(e).
 - (5) Measurement of Pollutants.
 - (a) The categorical pretreatment standards applicable to each regulated process (and any new categorically regulated processes for Existing Sources.)
 - (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by

the Director of Public Works, of regulated pollutants in the discharge from each regulated process.

- (c) Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - (d) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 25-101 of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director of Public Works or the applicable Standards to determine compliance with the Standard.
 - (e) If discharge flow conditions are representative of daily operations, the User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this section. The Director of Public Works may require additional representative sampling to be conducted.
 - (f) Representative samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR § 304.6(e) to evaluate compliance with Pretreatment Standards.
 - (g) The Director of Public Works may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - (h) The baseline report shall indicate the time, date and place of sampling and method of analysis, and shall certify that such sampling and analysis is representative of normal work cycle and expected pollutant discharges to the POTW.
 - (i) Sampling must be performed in accordance with procedures set out in Section 25-102 of this ordinance.
- (6) Certification. A statement, reviewed by the User's Authorized Representative of the User and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M)

and/or additional pretreatment are required to meet the pretreatment standards and requirements.

- (7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the User will provide the additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 25-93 of this ordinance.
- (8) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 25-82 B. (1) of this ordinance.

Section 25-93 Compliance Schedule; Progress Reports

The following conditions shall apply to the compliance schedule required by Section 25-92 (B)(7) of this ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The User shall submit a progress report to the Director of Public Works no later than fourteen (14) days following each date in the schedule and the final date of compliance including, at a minimum, whether it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between the submission of progress reports to the Director of Public Works.

Section 25-94 Categorical Pretreatment Standards; Compliance Reports

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any User subject to those pretreatment standards and requirements shall submit to the Director of Public

Works a report containing the information described in Section 25-92 (B)(4-6) of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR § 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. In cases where the Categorical Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User. For all other Users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 25-82 (B)(1) of this ordinance. All sampling will be done in conformance with Section 25-102 of the ordinance.

Section 25-95 Periodic Compliance Reports

- A. All Significant Industrial Users shall, at a frequency determined by the Director of Public Works but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Categorical Pretreatment Standard or the Director of Public Works requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director of Public Works or the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Section 25-82 (B)(1) of this ordinance.
- B. All Non-Significant Categorical Industrial Users (NSCIUs) shall submit a report annually in the month specified by the Director of Public Works. The report shall be completed according to the City's current reporting requirements, including the submittal of the applicable certification statement found in Section 25-82 (B)(3) of this ordinance.
- C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- D. If a User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Director of Public Works, using the procedures prescribed in Section 25-102 of this ordinance, the results of this monitoring shall be included in the report.

Section 25-96 Changed Conditions; Notices

- A. Each User must notify the Director of Public Works and the Control Authority of any planned significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater a minimum of thirty (30) days prior to the change.
- B. The Director of Public Works may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 25-82 (A) of this ordinance.
- C. The Director of Public Works may issue a wastewater discharge permit under Section 25-83 of this ordinance or modify an existing wastewater discharge permit under Section 25-86 of this ordinance in response to changed conditions or anticipated changed conditions.
- D. For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20% or greater, and the discharge of any previously unreported pollutants that are determined to be of concern.

Section 25-97 Accidental Discharge or Potential Problems; Report; Liability

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the User shall immediately telephone and notify the City and the Control Authority of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five (5) days following that discharge, the User shall, unless waived by the Director of Public Works, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall this notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

- D. Significant Industrial Users are required to notify the Director of Public Works immediately of any changes at their facilities affecting the potential for a Slug Discharge.

Section 25-98 Users Without Permit; Required Reports

All Users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Director of Public Works as the Director of Public Works may require.

Section 25-99 Notice of Violation; Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Director of Public Works within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director of Public Works within thirty (30) days after becoming aware of the violation. The User is not required to resample if the Director of Public Works monitors at the User's facility at least once a month, or if the Director of Public Works samples between the User's initial sampling and when the User receives the results of this sampling or if the Director of Public Works has performed the sampling and analysis in lieu of the User.

Section 25-100 Hazardous Waste Discharge; Notification

- A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division, Director of Public Works, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR § 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR § 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this division need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 25-96 of this ordinance. The notification requirement in this

section does not apply to pollutants already reported by Users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 25-92, 25-94, and 25-95 of this ordinance.

- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR §§ 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR §§ 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director of Public Works, the POTW, the EPA Regional Waste Management Waste Division, Director of Public Works, and State hazardous waste authorities of the discharge of that substance within ninety (90) days of the effective date of such regulations.
- D. In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

Section 25-101 Analytical and Sampling Standards

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR § 136, and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR § 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question sampling and analyses shall be performed by using validated analytical methods or any applicable sampling and analytical procedures, including procedures suggested by the Director of Public Works, the EPA, TCEQ, or other parties approved by EPA.

Section 25-102 Sample Collection Techniques

- A. Except as indicated in paragraphs B and C of this section, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Director of Public Works. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR § 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 25-92 and 25-94 [40 CFR §§ 403.12(b) and 403.12(d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data does not exist; for facilities for which historical sampling data are available, the Director of Public Works may authorize a lower minimum. For the reports required by Section 25-95 (40 CFR §§ 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

Section 25-103 Submission Date

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

Section 25-104 Records Retention

Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such

requirements, and documentation associated with Best Management Practices established in this ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of the analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the Director of Public Works.

SUBDIVISION 5 – ADMINISTRATION AND ENFORCEMENT

Section 25-105 Right of Entry: Inspection and Sampling

- A. The Director of Public Works and/or the Control Authority, TCEQ, or EPA or their designated representative(s) shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the inspecting or sampling person(s) ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
- B. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, City, Control Authority, TCEQ, or EPA personnel will be permitted to enter without delay for the purposes of performing specific responsibilities.
- C. The Director of Public Works and/or Control Authority shall have the right to set up on the User's property, or require installation of such devices as are necessary, to conduct sampling and metering of the User's operations. **All sampling and analysis performed by the City and/or Control Authority to monitor compliance shall be at the expense of the Industrial User.**
- D. The Director of Public Works may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated, at a minimum, annually to ensure their accuracy.
- E. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Director of Public Works and shall not be replaced. The costs of clearing the access shall be borne by the User.

- F. Unreasonable delays in allowing an inspecting or sampling person access to the User's premises shall be a violation of this ordinance.
- G. In accordance with 40 CFR § 403, the City shall inspect and monitor each Significant Industrial User a minimum of once per year. If the City elects to perform compliance monitoring for the Significant Industrial User, then the City will monitor the industry a minimum of semiannually.
- H. The City shall inspect each NSCIU a minimum of once per year. If the City elects to perform compliance monitoring for the NSCIU then the City will monitor the industry a minimum of one time each permit cycle.

Section 25-106 Search Warrants

If the Director of Public Works and/or Control Authority has been refused or denied access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Director of Public Works and/or Control Authority may seek issuance of a search warrant from an appropriate court or judicial officer.

Section 25-107 Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the City or Control Authority, that the release of that information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that the information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall only be available pursuant to the requirements of the Texas Public Information Act, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES or TPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics, and other effluent data as defined by 40 CFR § 2.302, will not be recognized as confidential information and will be available to the public without restriction.

Section 25-108 Publication of Users in Significant Noncompliance

- A. The Director of Public Works shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable pretreatment standards and requirements.
- B. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (3), (4), or (8) of this paragraph) and shall mean:
- (1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Sections 25-65-25-70;
 - (2) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Sections 25-65-25-70 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 - (3) Any other violation of a Pretreatment Standard or Requirement as defined by Sections 25-65-25-70 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Director of Public Works determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
 - (4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Director of Public Works's exercise of its emergency authority to halt or prevent such a discharge;
 - (5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
 - (6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with

categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

- (7) Failure to accurately report non-compliance; or
- (8) Any other violation(s), which may include a violation of Best Management Practices, which the Director of Public Works determines will adversely affect the operation or implementation of the local pretreatment program.

Section 25-109 Notification of Violation; User Plan of Action

When the Director of Public Works finds that a User has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may serve upon that User a written Notice of Violation. Within the time frame specified in this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Director of Public Works. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Director of Public Works to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

Section 25-110 Consent Order

The Director of Public Works may enter into a Consent Order, assurance of compliance, or a similar document establishing an agreement with any User responsible for non-compliance. Such documents shall include specific action to be taken by the User to correct the non-compliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 25-112 and 25-113 of this ordinance and shall be judicially enforceable. Issuance of a consent order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Section 25-111 Show Cause Hearing

The Director of Public Works may order a User which has violated or continues to violate any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Director of Public Works and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The

notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User. A show-cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

Section 25-112 Compliance Orders

When the Director of Public Works finds that a User has violated or continues to violate any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the non-compliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement; nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Section 25-113 Cease-and-Desist Orders

- A. When the Director of Public Works finds that a User has violated or continues to violate any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the Director of Public Works may issue an order to the User directing it to cease and desist all such violations and directing the User to:
 - (1) Immediately comply with all requirements; and
 - (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- B. Issuance of a cease-and-desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Section 25-114 Emergency Suspension of Discharge

- A. The Director of Public Works may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director of Public Works may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.
- (1) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Director of Public Works may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director of Public Works may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Director of Public Works that the period of endangerment has passed, unless the termination proceedings in Section 25-115 of this ordinance are initiated against the User.
 - (2) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director of Public Works prior to the date of any show cause or termination hearing under Sections 25-111 or 25-115 of this ordinance.
- B. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

Section 25-115 Termination of Discharge

- A. In addition to the provisions in Section 25-88 of this ordinance, any User who violates the following conditions is subject to discharge termination:
- (1) Violation of wastewater discharge permit conditions;
 - (2) Failure to accurately report the wastewater constituents and characteristics of its discharge;
 - (3) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

- (4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
 - (5) Violation of the pretreatment standards in Sections 25-65-25-70 of this ordinance.
- B. Such Users will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 25-111 of this ordinance why the proposed action should not be taken. Exercise of this option by the Director of Public Works shall not be a bar to, or a prerequisite for, taking any other action against the User.

Section 25-116 Injunctive Relief

When the Director of Public Works finds that a User has violated or continues to violate any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may petition a court of competent jurisdiction through the City Attorney for the issuance of a temporary restraining order and temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The Director of Public Works may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

Section 25-117 Remedies Not Exclusive

The remedies provided for in this ordinance are not exclusive. The Director of Public Works may take any, all, or any combination of these actions against a non-compliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Director of Public Works may take other action against any User when the circumstances warrant. Further, the Director of Public Works is empowered to take more than one enforcement action against any non-compliant User.

Section 25-118 Applicability of More Stringent Regulations

- A. More Stringent Discharge Limits. If national pretreatment standards, categorical or otherwise, more stringent than the discharge limits prescribed in this article are promulgated by the United States Environmental Protection Agency for certain industries, the more stringent national pretreatment standards will apply

to the affected Industrial User. A violation of the more stringent national pretreatment standards will also be considered a violation of this ordinance.

- B. Applicability of More Stringent Discharge Limits. An Industrial User within the city who discharges industrial waste ultimately received and treated by another governmental entity pursuant to a wholesale wastewater contract or a reciprocal agreement with the city is subject to the following additional rules:
- (1) If the governmental entity has more stringent discharge limits than those prescribed by this ordinance, or by a discharge permit issued hereunder, because the United States Environmental Protection Agency requires the more stringent discharge limits as part of the governmental entity's wastewater pretreatment program, the more stringent discharge limits shall prevail.
 - (2) The Director of Public Works is authorized to issue a discharge permit to an Industrial User affected by Subsection (1), to ensure notice of and compliance with the more stringent discharge limits. If the Industrial User already has a discharge permit, the Director of Public Works may amend the permit to apply and enforce the more stringent discharge limits. An Industrial User shall submit to the Director of Public Works an expected compliance date and an installation schedule if the more stringent discharge limits necessitate technological or mechanical adjustments to discharge facilities or plant processes.
 - (3) If the Director of Public Works chooses not to issue or amend a permit under Subsection (2), the Director of Public Works shall notify the affected Industrial User in writing of the more stringent discharge limits and their effective date. Regardless of whether or not a permit is issued or amended, an Industrial User shall be given a reasonable opportunity to comply with the more stringent discharge limits.
 - (4) The more stringent discharge limits cease to apply upon termination of the City's wholesale wastewater contract or reciprocal agreement with the governmental entity, or upon modification or elimination of the limits by the government entity or the United States Environmental Protection Agency. The Director of Public Works shall take the appropriate action to notify the affected Industrial User of an occurrence under this Subsection (4).
- C. Variances in Compliance Dates. The Director of Public Works may grant a variance in compliance dates to an industry when, in the Director of Public Works's opinion, such action is necessary to achieve pretreatment or corrective measures. In no case shall the Director of Public Works grant a variance in compliance dates to an industry affected by national categorical pretreatment

standards beyond the compliance dates established by the United States Environmental Protection Agency.

- D. Authority to Regulate. The Director of Public Works may establish regulations, not in conflict with this ordinance or other laws, to control the disposal and discharge of industrial waste into the wastewater system and to ensure compliance with the City's pretreatment enforcement program with all applicable pretreatment regulations promulgated by the United States Environmental Protection Agency. The regulations established shall, where applicable, be made part of any discharge permit issued to an Industrial User by the Director of Public Works.

Section 25-119 Affirmative Defenses to Discharge Violations

A. Act of God provision

- (1) An event that would otherwise be a violation that is caused solely by an act of God, war, strike, riot, or other catastrophe is not a violation.
- (2) In an enforcement proceeding, the User seeking to establish the occurrence of an act of God, war, strike, riot, or other catastrophe shall have the burden of proof.
- (3) In the event that an act of God, war, strike, riot, or other catastrophe has been established, the User shall control production of all discharges to the extent possible until such time as the reduction, loss, or failure of its treatment facility is restored or an alternative method of treatment is provided.

B. Bypass

- (1) For the purpose of this section:
 - (a) "Bypass" means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 - (b) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (2) A User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential

maintenance to assure efficient operation. These bypasses are not subject to the provision of subsections (3) and (4) of this paragraph.

(3) Bypass Notifications

- (a) If a User knows in advance of the need for a bypass, it shall submit prior notice to the Director of Public Works at least ten (10) days before the date of the bypass, if possible.
- (b) A User shall submit oral notice to the Director of Public Works of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The Director of Public Works may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(4) Bypass

- (a) Bypass is prohibited, and the Director of Public Works may take an enforcement action against a User for a bypass, unless:
 - 1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - 3. The User submitted notices as required under subsection (3) of this paragraph.
- (b) The Director of Public Works may approve an anticipated bypass, after considering its adverse effects, if the Director of Public Works

determines that it will meet the three conditions listed in subsection (4)(a) of this paragraph.

Section 25-120 Pretreatment Charges and Fees; Surcharges

- A. The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's pretreatment program, which may include:
- (1) Fees for wastewater discharge permit applications including the cost of processing the applications;
 - (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;
 - (3) Fees for reviewing and responding to accidental discharge procedures and construction;
 - (4) Fees for filing appeals;
 - (5) Recovery of administrative and legal costs associated with enforcement activity taken by the Director of Public Works to address Industrial User noncompliance
 - (6) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City;
 - (7) Fees for treating abnormal strength wastes; and
 - (8) Fees incurred from an upset, bypass, or unauthorized discharge.

B. Surcharge

The City may surcharge Industrial Users for the treatment of abnormal strength wastes. Water or wastes having (1) a five-day biochemical oxygen demand greater than two hundred fifty (250) parts per million (ppm) by weight, or (2) containing more than two hundred fifty (250) parts per million by weight of total suspended solids, shall be subject to the review and approval of the Director of Public Works. Where the Director of Public Works has approved the admission of (1) and/or (2) above into the POTW, that discharge may be subject to a surcharge as determined by the Director of Public Works. In no case shall a discharge be accepted that will prevent the POTW from meeting its NPDES or TPDES limits.

- (1) The surcharge will be assessed according to the following formula each month using the most current pollutant concentration data and the current month's wastewater flow:

$$\text{Surcharge} = \frac{Q}{1,000,000} \times [a(\text{BOD} - x) + b(\text{TSS} - y)][8.34]$$

Where:

Q = flow in gallons

8.34 = weight in pounds of one gallon of water

x = normal limits of BOD in domestic wastewater expressed in milligrams per liter

y = normal limits of TSS in domestic wastewater expressed in milligrams per liter

a = unit cost of treatment per pound of BOD

b = unit cost of treatment per pound of TSS

- (2) A surcharge is an additional charge by the POTW for the increased cost of handling discharge of unusual strength and character and shall not serve as a variance to the requirements of this ordinance. Exercise of this provision shall not be a bar to, or a prerequisite for, taking any other action against the User.

Section 25-121 Severability

If any provision of this ordinance is invalidated, by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 25-122 Penalty

A. Civil Penalties

- (1) A User who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, shall be liable to the City for a maximum civil penalty of One Thousand Dollars (\$1,000) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (2) The Director of Public Works may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including

sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

- (3) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- (4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

B. Criminal Prosecution

- (1) A User who violates intentionally, knowingly, recklessly, or negligently any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than Two Thousand Dollars (\$2,000) per violation, per day.
- (2) A User who intentionally, knowingly, recklessly, or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to the same penalties described in Section 25-116 of this ordinance. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (3) A User who makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be subject to the same penalties described in division Section 25-116 of this ordinance.
- (4) **CRIMINAL RESPONSIBILITY.** A person is criminally responsible for a violation of this ordinance if that person intentionally, knowingly, recklessly, or negligently:
 - (a) Commits or assists in the commission of a violation, or causes or permits another person to commit a violation, of this ordinance; or
 - (b) Owns or manages the property or facilities determined to be the cause of the illegal discharge under Sections-25-65, 25-66, 25-67, 25-76, or 25-79.

SUBDIVISION 6 – REPEAL OF ORDINANCE NO. 2003-10

Ordinance No. 2003-10 is hereby repealed, except that such repeal shall not affect, limit or excuse the violation or enforcement of a violation of Ordinance No. 2003-10 arising prior to the effective date hereof.

SUBDIVISION 7 – EFFECTIVE DATE

These rules shall be in full force and effective ten (10) days after the date of final approval from the State.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: RESOLUTION ENDORSING THE IMPLEMENTATION OF A CONTINUING PRETREATMENT PROGRAM

RECOMMENDATION: City Council to consider a resolution endorsing the implementation of a continuing pretreatment program for the central regional wastewater system.

FUNDING SOURCE: This action will have no material impact on City funds.

BACKGROUND: The Environmental Protection Agency and the State of Texas have mandated that the Trinity River Authority of Texas implement an Industrial Pretreatment Program. As a city served by the Trinity River Authority (TRA), Grapevine is required to pass a resolution supporting the implementation of this ongoing pretreatment program.

This item is a companion to Item 22 on your agenda.

Staff recommends approval.

RESOLUTION NO. 2024-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ENDORSING THE IMPLEMENTATION OF A CONTINUING PRETREATMENT PROGRAM AS REQUIRED BY 40 CFR § 403 FOR THE CENTRAL REGIONAL WASTEWATER SYSTEM.

WHEREAS, on June 26, 1978, the United States Environmental Protection Agency published a rule (Amended January 28, 1981) which established mechanisms and procedures for enforcing National Pretreatment Standards controlling the introduction of wastes from nondomestic sources into Publicly Owned Treatment Works (POTWs); and

WHEREAS, this rule, 40 CFR § 403, requires that a Pretreatment Program be developed for the Regional Wastewater System, and

WHEREAS, Trinity River Authority of Texas, as the owner and operator of a POTW, must comply with rule 40 CFR § 403; and

WHEREAS, the City, as a contracting party of the Central Regional Wastewater System, has entered into an Amendatory Wastewater Contract with Trinity River Authority of Texas whereby the City has enacted ordinances that are necessary to implement and enforce the National Pretreatment Standards; and

WHEREAS, 40 CFR § 403.9 (b) requires a statement or resolution reflecting the endorsement or approval of the local boards or councils responsible for supervising and/or funding the POTW;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That the City of Grapevine, Texas, hereby endorses the implementation of a pretreatment program as required by 40 CFR § 403 for the Regional Wastewater System with such program to continue as long as 40 CFR § 403 remains in effect.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 1st day of October, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: APPROVAL OF THIRD AMENDMENT TO THE ON-CALL ENGINEERING SERVICES CONTRACT AND APPROPRIATION ORDINANCE

RECOMMENDATION: City Council to consider the third amendment to the on-call engineering services contract with Kimley-Horn and Associates and approval of an ordinance appropriating the funds.

FUNDING SOURCE: Upon approval of the attached appropriation ordinance, funds will be available in the General Fund (various departments) Capital Project Streets Fund, Utility Enterprise Fund and Storm Drainage Utility Fund in an estimated amount of \$250,000.

BACKGROUND: On September 7, 2021, City Council approved a contract with Kimley-Horn and Associates to provide traffic engineering services on an on-call basis in the amount of \$100,000. This agreement was amended on February 15, 2022 in the amount of \$350,000 and March 7, 2023 in the amount of \$250,000.

City staff wishes to continue this effort with an additional \$250,000 in funding to provide design and support services for traffic engineering, small-scale roadway, utility, and storm drainage projects.

Kimley-Horn and Associates has provided design services for several years and is familiar with the City. Staff is satisfied with the quality of the work and the responsiveness of this firm.

Staff recommends approval.

ORDINANCE NO. 2024-089

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE APPROPRIATION OF \$250,000 IN THE CAPITAL PROJECT STREET FUND, UTILITY ENTERPRISE CAPITAL FUND AND THE STORM DRAINAGE UTILITY FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to enter into an on call engineering services contract for street, utility, and drainage projects; and

WHEREAS, funding is available in the Capital Project Street Fund, Utility Enterprise Capital Fund, and the Storm Drainage Utility Fund; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That the City Council hereby authorizes \$250,000 to be appropriated from the Capital Project Street Fund, Utility Enterprise Capital Fund, and Storm Drainage Utility Fund for the on-call contract for street and drainage projects.

Section 3. That a copy of the revised FY 2024-2025 Annual Budget document shall be kept on file in the office of the City Secretary.

Section 4. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 5. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 1st day of October, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 1, 2024

SUBJECT: PURCHASE OF DEMOLITION & ASBESTOS ABATEMENT SERVICES FOR THE FORMER GRAPEVINE POLICE AND COURTS BUILDING AND APPROPRIATE FUNDING

RECOMMENDATION: City Council to consider approving the purchase of demolition services for the former Grapevine police and courts building from Precision Demolition for the Public Works Department and authorizing the City Manager to enter into an agreement for asbestos abatement in a total amount not to exceed \$200,000 and an ordinance appropriating the funds.

FUNDING SOURCE: Upon approval of the above recommendation, funds will be available in the Economic Development Fund in the amount of \$200,000.

BACKGROUND: This purchase is for the demolition and removal of the two-story former Police Department Building on Dallas Road. After demolition, City forces will repave and stripe the entire lot for parking. Staff expects to increase overall parking by 75 spaces in this effort. Appropriate landscaping will be included in the project.

Staff has selected Precision Demolition for the bulk of this effort in an amount estimated at \$150,000. In addition, our environmental testing firm (Terracon Consultants, Inc) is assisting staff with selection of a firm to provide the estimated \$30,000 in asbestos abatement services.

This purchase will be made in accordance with Local Government Code, Chapter 252, Subchapter B, § 252.022, General Exemptions (a) (1) (2). A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality; a procurement necessary to preserve or protect the public health or safety of the municipality's residents;

Staff recommends approval.

CH/LW

ORDINANCE NO. 2024-090

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE APPROPRIATION OF \$200,000 IN THE ECONOMIC DEVELOPMENT FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to purchase demolition and asbestos abatement services for the former Grapevine Police and Courts building; and

WHEREAS, funding is available in the Economic Development Fund; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That the City Council hereby authorizes \$200,000 to be appropriated from the Economic Development Fund for demolition and asbestos abatement services for the former Grapevine Police and Courts building.

Section 3. That a copy of the revised FY 2024-2025 Annual Budget document shall be kept on file in the office of the City Secretary.

Section 4. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 5. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 1st day of October, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Regular Session on this the 17th day of September 2024 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present:

William D. Tate	Mayor
Darlene Freed	Mayor Pro Tem
Sharron Rogers	Council Member
Chris Coy	Council Member
Duff O'Dell	Council Member
Paul Slechta	Council Member
Leon Leal	Council Member

constituting a quorum, and with the following members of the Planning and Zoning Commission:

Larry Oliver	Chairman
Monica Hotelling	Vice Chair
Beth Tiggelaar	Member
Traci Hutton	Member
Jason Parker	Member
Justin Roberts	Member
Kirby Kercheval	Member

constituting a quorum, and with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
Matthew C.G. Boyle	Assistant City Attorney
Suzanne Le	Assistant to the City Secretary

CALL TO ORDER: City Council Chambers

Item 1. Executive Session:

Mayor Pro Tem Darlene Freed called the meeting to order at 7:00 p.m.

Mayor Pro Tem Freed announced the City Council would recess to the City Council Conference Room to conduct a closed session regarding:

- A. Real property relative to deliberation of the purchase, exchange, lease, sale or value of real property (City facilities, Public Works, and the 185 acres) pursuant to Section 551.072, Texas Government Code.

- B. Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.

The City Council recessed to the City Council Conference Room and began the closed session at 7:04 p.m. The closed session ended at 7:15 p.m.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to Sections 551.072 or 551.087.

City Manager Bruno Rumbelow stated there was no action necessary.

REGULAR MEETING

Mayor Tate called the regular meeting to order at 7:30 p.m.

Item 2. Invocation and Pledge of Allegiance

Council Member Paul Slechta gave the invocation and led the Pledge of Allegiance.

Mayor Tate declared the public hearing open.

JOINT PUBLIC HEARINGS

Mayor Tate moved Item 7 up on the agenda.

Item 7. Conditional Use Permit **CU24-36** (Grace Housing)

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to operate a nonprofit organization for supportive housing and an outdoor playground as part of a mentorship program with GRACE. The subject property is located at 421 East Worth Street and is currently zoned "R-7.5", Single-Family Residential District.

Marohnic stated that the applicant has submitted a request that the application be withdrawn from consideration by the Council and Commission.

Staff recommended that the City Council and the Planning and Zoning Commission accept the applicant's request to withdraw Conditional Use Permit CU24-36 and take any necessary action.

Motion was made to approve the request to withdraw.

Motion: Parker

Second: Tiggelaar

Ayes: Oliver, Roberts, Hotelling, Kercheval, Hutton, Parker and Tiggelaar

Nays: None

Approved: 7-0

Motion was made to approve the request to withdraw.

Motion: Freed

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 3. Conditional Use Permit **CU24-28** (Elmer's HVAC and Plumbing)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to allow a plumbing repair company with outdoor storage of service vehicles. The subject property is located at 340 West Northwest Highway and is currently zoned "HC", Highway Commercial District.

Applicant Representative Tommy Mann with Winstead presented this item and answered questions from the Commission and Council.

Erica Marohnic answered questions from the Commission.

Bev Martin, 353 Banyon, Grapevine spoke of concerns from the previous owners and gave feedback to the new owners on this item

Two letters of opposition within the 200-foot notification area were provided to the Commission and Council.

Motion was made to close the public hearing.

Motion: Tiggelaar

Second: Hotelling

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: O'Dell

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None
Approved: 7-0

Item 4. Conditional Use Permit **CU24-29** and Special Use Permit **SU24-03** (Great Wolf Lodge Entryway)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU23-37 (Ord. 2024-009) to add a vestibule to the front entrance, remove two architectural features and add an outdoor adventure trail. This request is specifically to revise the main entry to include entry and exit lanes and barrier gates. The special use permit is to allow payment for parking. The subject property is located at 100 Great Wolf Lodge Drive and is currently zoned "CC", Community Commercial District.

Applicants, Kevin Carlson with Huitt-Zollars and Chris Dix with Amano McGann, presented this item and answered questions from the Commission and Council.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Parker

Second: Hutton

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Coy

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 5. Conditional Use Permit **CU24-34** (Vidorra)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU22-22 (Ord. 2022-039) for a planned commercial center to allow the possession, storage, retail sales of on- and off- premise consumption of alcoholic beverages (beer, wine, and mixed beverages), outdoor dining, outdoor speakers and a 38-foot pole sign in conjunction with a restaurant. This request is specifically to modify the existing floor plan to relocate alcohol storage and

revise exterior building elevations. The subject property is located at 700 West State Highway 114 and is currently zoned “HC”, Highway Commercial District.

Applicant, James Faller with Milkshake Concepts presented this item and answered questions from the Commission and Council.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Hotelling

Second: Tiggelaar

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: O’Dell

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O’Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 6. Conditional Use Permit **CU24-35** (Classic Chevrolet)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU21-24 (Ord. 2021-055) for a planned commercial center for an automotive dealership with sales and repair of new and used vehicles. This request is specifically to add one freestanding Level 3 electric vehicle, EV, charging station to the existing car dealership. The subject property is located at 2501 William D Tate Avenue and is currently zoned “CC”, Community Commercial District.

Applicants, T. Bently Durant with Chevrolet and David Blackwell with Fab-Crete presented this item and answered questions from the Commission and Council.

Erica Marohnic answered questions from the Commission.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Tiggelaar

Second: Hutton

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None
Approved: 7-0

Motion was made to close the public hearing.
Motion: Freed
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 8. Conditional Use Permit **CU24-37** and Planned Development Overlay **PD24-05**
(Grapevine Faith Multipurpose Facility)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU19-25 (Ord. 2013-33) to allow for a non-profit educational institution. This request is specifically to construct additional football field seating and an indoor multi-purpose facility. The applicant is also requesting a planned development overlay to deviate from but not limited to the maximum height from Section 15 of the Comprehensive Zoning Ordinance, No. 82-73. The subject property is located at 730 East Worth Street and is currently zoned "R-7.5", Single-family District.

Applicant, Dr. Smith with Faith Christian presented this item and answered questions from the Commission and Council.

Five letters of support within the 200-foot notification area were provided to the Commission and Council.

Three letters of support outside the 200-foot notification area were provided to the Commission and Council.

Motion was made to close the public hearing.
Motion: Hutton
Second: Parker
Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, and Roberts
Nays: None
Abstains: Kercheval
Approved: 6-0-1

Motion was made to close the public hearing.
Motion: Coy
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None
Approved: 7-0

Item 9. Special Use Permit **SU24-02** (121 Community Church Recreation Area)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting to amend the existing planned commercial center and to request a special use permit to amend the previously approved site plan SU15-02 (Ord. 2015-021). This request is specifically for the construction of an outdoor pavilion, soccer field, and pickleball court to the east of the existing 121 Community Church building. The subject property is located at 2701 Ira E. Woods Avenue and is currently zoned "CC", Community Commercial District.

Eric Marohnic answered questions from Council.

Applicants, Ross Sawyer with 121 Community Church and Chad Lewis with McCaslin Associates presented this item and answered questions from the Commission and Council.

One letter of support within the 200-foot notification area was provided to the Commission and Council.

Motion was made to close the public hearing.

Motion: Hutton

Second: Tiggelaar

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Freed

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Planning and Zoning Commission recessed to the Planning and Zoning Commission Conference Room, Second Floor, to consider published agenda items.

City Council remained in session in the Council Chambers to consider published business.

Item 10. CITIZEN COMMENTS

No Speakers

CITY COUNCIL PUBLIC HEARINGS AND RELATED ITEMS

Mayor Tate declared the public hearing open.

11. City Council to conduct a public hearing relative to the Fiscal Year 2024-2025 annual operating budget.

Jeff Strawn presented this item along with Item 12 and announced the total proposed annual operating budget for Fiscal Year 2024-2025 is \$229,000,000 which is a 14% increase from the current year budget.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Slechta

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

12. Consider **Ordinance No. 2024-077** adopting the Fiscal Year 2024-2025 City of Grapevine Annual Operating Budget.

Jeff Strawn presented this item along with Item 11.

Motion was made to approve **Ordinance No. 2024-077** adopting the Fiscal Year 2024-2025 City of Grapevine Annual Operating Budget.

Motion: Freed

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

ORDINANCE NO. 2024-077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ADOPTING THE BUDGET FOR THE CITY OF GRAPEVINE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR INTRA- AND INTERDEPARTMENTAL FUND TRANSFERS; PROVIDING FOR INVESTMENT OF CERTAIN FUNDS; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE

13. Consider **Ordinance No. 2024-078** adopting an ad valorem tax rate of 0.241165 per \$100 valuation for tax year 2024 and fiscal year 2025.

Strawn stated that the rate was a no new revenue rate.

Motion was made to approve **Ordinance No. 2024-078** adopting the ad valorem tax rate of 0.241165 per \$100 valuation for tax year 2024 and fiscal year 2025.

Motion: Rogers

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

ORDINANCE NO. 2024-078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, SETTING THE ANNUAL TAX RATE FOR TAX YEAR 2024 LEVYING TAXES TO BE ASSESSED ON ALL TAXABLE PROPERTY WITHIN THE LIMITS OF THE CITY OF GRAPEVINE, TEXAS; PROVIDING PENALTIES AND INTEREST FOR THE DELINQUENT TAXES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

14. Consider **Resolution No. 2024-015** approving the Atmos RRM (Rate Review Mechanism) Tariff Settlement with Atmos Energy Mid-Tex. Assistant City Manager recommends approval.

Assistant City Manager Jennifer Hibbs recommended approval of the resolution of the Atmos RRM (Rate Review Mechanism) Tariff Settlement.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

RESOLUTION NO. 2024-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2024 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

15. Consider the annual maintenance renewal for INCODE, the municipal court software, with Tyler Technologies.

Chief Financial Officer Jeff Strawn recommended approval of the renewal for INCODE, the municipal court software in an amount not to exceed \$36,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

16. Consider the purchase of a Cisco C8500L router and equipment from ePlus Inc.

Chief Information Officer Tessa Allberg recommended the purchase of a Cisco C8500L router and equipment for an amount not to exceed \$52,330.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

17. Consider the renewal of an annual service contract for datacenter system and network administration with LEAF TCS.

Chief Information Officer Tessa Allberg recommended the renewal of an annual service contract for datacenter system and network administration for an amount not to exceed \$120,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

18. Consider the renewal of an enterprise agreement for Geographic Information System software with Esri, Inc.

Chief Information Officer Tessa Allberg recommended the renewal of an enterprise agreement for Geographic Information System software for an amount not to exceed \$56,700.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

19. Consider the renewal of an annual contract for Vector Solutions software with Target Solutions Learning, LLC.

Fire Chief Darrell Brown recommended the renewal of an annual contract for Vector Solutions software for an amount not to exceed \$18,663.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal

Nays: None
Approved: 7-0

20. Consider a firework permit for the Hello DMC, Dwyer Franchising Event at Glass Cactus on October 12, 2024, for Illumination Fireworks Partners, LP.

Fire Chief Darrell Brown recommended a firework permit for the Hello DMC, Dwyer Franchising Event at Glass Cactus on October 12, 2024.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

21. Consider the purchase of fire record management software with Locality Media, Inc.

Fire Chief Darrell Brown recommended the purchase of fire record management software for an amount not to exceed \$43,520.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

22. Consider the purchase of on-site PPE cleaning, inspection and repair from Rocky Mountain PPE, LLC.

Fire Chief Darrell Brown recommended the purchase of on-site PPE cleaning, inspection and repair for an amount not to exceed \$33,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

23. Consider the renewal of a contract for third-party administrative services for the City's self-funded health plan with UMR.

Human Resources Director Rachel Huitt recommended the renewal of a contract for third-party administrative services for the City's self-funded health plan in an estimated amount of \$390,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

24. Consider the renewal of a contract for third-party administrative services for the City's self-funded dental plan with CIGNA.

Human Resources Director Rachel Huitt recommended the renewal of a contract for third-party administrative services for the City's self-funded dental plan in an estimated annual amount of \$36,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

25. Consider the renewal of an annual policy for property and casualty insurance coverage with Travelers Insurance.

Human Resources Director Rachel Huitt recommended the renewal of an annual policy for property and casualty insurance coverage for an estimated amount of \$2,100,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

26. Consider the renewal of an annual policy for cyber liability insurance coverage with XL Insurance Company.

Human Resources Director Rachel Huitt recommended the renewal of an annual policy for cyber liability insurance coverage for an estimated annual amount of \$175,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

27. Consider an annual policy for Workers' Compensation insurance coverage with TML Risk Pool.

Human Resources Director Rachel Huitt recommended an annual policy for Workers' Compensation insurance coverage for an estimated annual amount of \$495,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

28. Consider an annual policy for Medical and RX Stop Loss Insurance.

Human Resources Director Rachel Huitt recommended an annual policy for Medical and RX Stop Loss Insurance for an estimated amount of \$1,016,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

29. Consider the renewal of a contract for diabetes reversal program with Virta Medical.

Human Resources Director Rachel Huitt recommended the renewal of a contract for diabetes reversal program for an estimated annual amount of \$35,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

30. Consider the renewal of an annual contract for portable restroom rental services with United Rentals, Inc.

Parks and Recreation Director Chris Smith the renewal of an annual contract for portable restroom rental services for an annual estimated amount of \$100,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

31. Consider a contract for annual racial profiling reporting, quarterly data analysis, Equal Employment Opportunity Program (EEOP) data collection with Del Carmen Consulting, LLC.

Police Chief Mike Hamlin recommended a contract for annual racial profiling reporting, quarterly data analysis, Equal Employment Opportunity Program (EEOP) data collection for an amount not to exceed \$128,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

32. Consider the purchase for recurring circuits for dispatch radio consoles with the Texas Department of Information Resources.

Police Chief Mike Hamlin recommended the purchase for recurring circuits for dispatch radio consoles for an amount not to exceed \$17,887.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

33. Consider the purchase of PowerDMS professional subscription renewal with PowerDMS.

Police Chief Mike Hamlin recommended the purchase of PowerDMS professional subscription renewal for an amount not to exceed \$17,929.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

34. Consider the renewal of the Crimes law enforcement computer software, licenses, system maintenance, and services from Sam Houston State University.

Police Chief Mike Hamlin recommended the renewal of the Crimes law enforcement computer software, licenses, system maintenance, and services for an amount not to exceed \$66,150.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

35. Consider the purchase of a 2024 Celltech multi-use cargo trailer from North Texas Trailers.

Police Chief Mike Hamlin recommended the purchase of a 2024 Celltech multi-use cargo trailer for a total amount not to exceed \$20,861.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

36. Consider the renewal of annual contracts for aggregate materials with Big Sandy Sand Company, Burnco Texas LLC, DFW Materials, Earth Haulers, Inc., Green Dream International LLC, Lowery Sand & Gravel Co. Inc. and Martin Marietta Inc.

Public Works Director Bryan Beck recommended the renewal of annual contracts for aggregate materials for an annual estimated amount of \$230,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
Nays: None
Approved: 7-0

37. Consider the purchase of fleet vehicles through interlocal purchasing cooperatives or BuyBoard agreements and authorize the order of fire apparatus.

Chief Financial Officer Jeff Strawn and Public Works Director Bryan Beck recommended the purchase of fleet vehicles.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy

Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal

Nays: None

Approved: 7-0

38. Consider the purchase of a main breaker for the Water Treatment Plant from Graybar.

Public Works Director Bryan Beck recommended the purchase of a main breaker for the Water Treatment Plant for an estimated amount of \$73,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy

Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal

Nays: None

Approved: 7-0

39. Consider the purchase of a gearbox for the Wastewater Treatment Plant from Newman Regency Group, Inc. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended the purchase of a gearbox for the Wastewater Treatment Plant for an amount not to exceed \$34,311.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy

Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal

Nays: None

Approved: 7-0

40. Consider the sale of property listed in Exhibit "A" as surplus property and authorize their sale through public auction.

Public Works Director Bryan Beck recommended the sale of property listed in Exhibit "A" as surplus property and authorize their sale through public auction.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

41. Consider the award of an annual contract for RFB 48-24 for water and wastewater chemicals with Brenntag Southwest, Chameleon Industries, Polydyne, Inc. and PVS DX Inc.

Public Works Director Bryan Beck recommended the award of an annual contract for RFB 48-24 for water and wastewater chemicals for an estimated amount of \$500,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

42. Consider a Ground and Tower Lease Agreement with Grapevine Colleyville ISD (GCISD) and Cellco Partnership d/b/a Verizon Wireless.

Public Works Director Bryan Beck recommended a Ground and Tower Lease Agreement with Grapevine Colleyville ISD (GCISD) and Cellco Partnership d/b/a Verizon Wireless. The City of Grapevine and GCISD will each receive \$20,000, half of the annual lease payment of \$40,000, from Verizon.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

43. Consider the minutes of the September 3, 2024, Regular City Council meeting. City Secretary recommends approval.

City Secretary Tara Brooks recommended approval of the minutes as provided

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Coy, Rogers, O'Dell, Slechta, Freed and Leal
 Nays: None
 Approved: 7-0

Pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.001 et seq, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in open session following conclusion of the executive session.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

44. Conditional Use Permit CU24-28 (Elmer's HVAC and Plumbing) and Ordinance No. 2024-079.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve conditional use request **CU24-28** (340 West Northwest Highway) and **Ordinance No. 2024-079** with the conditions that installation and full irrigation of landscaping in the required 25-foot front yard per Subsection 26.G.3., Front yard of Section 26, "HC", Highway Commercial District of the Zoning Ordinance be met along Lot 2's frontage of Northwest Highway; planting three trees, shrubs, and ground cover, and remove any mechanical and electrical equipment scrap within 24 hours or by close of the next business day from the site.

Motion: Slechta
 Second: Coy
 Ayes: Tate, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: Freed
 Approved: 6-1

ORDINANCE NO. 2024-079

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-28 TO ALLOW A PLUMBING REPAIR COMPANY WITH OUTDOOR STORAGE OF SERVICE VEHICLES (ELMER'S HVAC & PLUMBING SUPPLY) FOR BLOCK 1, LOT 2, GRAPEVINE BUSINESS PARK (340 WEST NORTHWEST HIGHWAY) IN A DISTRICT ZONED "HC", HIGHWAY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY

NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

45. Conditional Use Permit CU24-29 () and Ordinance No. 2024-080.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve conditional use request **CU24-29** (Great Wolf Lodge Entryway) and **Ordinance No. 2024-080**.

Motion: Freed
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024-080

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-29 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF CU23-37 (ORD. 2024-009) FOR A PLANNED COMMERCIAL CENTER TO ALLOW THE POSSESSION, STORAGE, RETAIL SALES OF ON- AND OFF- PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE, AND MIXED BEVERAGES) AND OUTDOOR SPEAKERS, A 321 SQUARE FOOT VESTIBULE TO THE EXISTING FRONT ENTRANCE, REMOVE AND REPLACE EXISTING TREES NEAR THE ENTRY MONUMENT SIGN, ADD A STATUE TO THE MAIN ENTRANCE, AND ADD AN OUTDOOR ADVENTURE TRAIL IN CONJUNCTION WITH A HOTEL, AND WATER PARK, SPECIFICALLY TO REVISE THE MAIN ENTRY TO INCLUDE ENTRY AND EXIT LANES AND BARRIER GATES FOR BLOCK 1R, LOT 1R, GREAT WOLF ADDITION, (100 GREAT WOLF DRIVE) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL

WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

46. Special Use Permit SU24-03 (Great Wolf Lodge Entryway) and Ordinance No. 2024-081.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve special use request **SU24-03** (Great Wolf Lodge Entryway) and **Ordinance No. 2024-081**.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024-081

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING SPECIAL USE PERMIT SU24-03 TO ALLOW FOR PAID PARKING FOR, BLOCK 1R, LOT 1R, GREAT WOLF ADDITION OF GRAPEVINE (100 GREAT WOLF DRIVE) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

47. Conditional Use Permit CU24-34 (Vidorra) and Ordinance No. 2024-082.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve conditional use request **CU24-34** (Vidorra) and **Ordinance No. 2024-082**.

Motion: Freed
 Second: Slechta
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-082

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-34 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU22-22 (ORD. 2022-039) FOR A PLANNED COMMERCIAL CENTER TO ALLOW THE POSSESSION, STORAGE, RETAIL SALES OF ON- AND OFF- PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE, AND MIXED BEVERAGES), OUTDOOR DINING, OUTDOOR SPEAKERS AND A 38-FOOT POLE SIGN IN CONJUNCTION WITH A RESTAURANT. THIS REQUEST IS SPECIFICALLY TO MODIFY THE EXISTING FLOOR PLAN TO RELOCATE ALCOHOL STORAGE AND REVISE EXTERIOR BUILDING ELEVATIONS FOR BLOCK 1, LOT 5RB1, HAYLEY ADDITION (700 WEST STATE HIGHWAY 114) IN A DISTRICT ZONED "HC", HIGHWAY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

48. Conditional Use Permit **CU24-35** (Classic Chevrolet) and **Ordinance No. 2024-083.**

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve conditional use request **CU24-35** (Classic Chevrolet) and **Ordinance No. 2024-083.**

Motion: Slechta
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O’Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024-083

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-35 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF CU21-24 (ORD NO. 2021-55) FOR A PLANNED COMMERCIAL CENTER FOR AUTOMOTIVE DEALERSHIP WITH SALES AND REPAIR OF NEW AND USED VEHICLES, SPECIFICALLY TO ADD ONE FREESTANDING LEVEL 3 ELECTRIC VEHICLE (EV) CHARGING STATION TO THE EXISTING CAR DEALERSHIP IN A DISTRICT ZONED “CC”, COMMUNITY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

49. Conditional Use Permit **CU24-36** (Grace Housing) and **Ordinance No. 2024-084.**

Withdrawn

50. Conditional Use Permit **CU24-37** (Grapevine Faith Multipurpose Facility) and **Ordinance No. 2024-085.**

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 5-1-1.

Motion was made to approve conditional use request **CU24-37** (Grapevine Faith Multipurpose Facility) and **Ordinance No. 2024-085**.

Motion: Freed
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024-085

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-37 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU19-25 (ORDINANCE NO. 2013-33) FOR A NON-PROFIT EDUCATIONAL INSTITUTION, SPECIFICALLY TO CONSTRUCT FOOTBALL FIELD SEATING AND A MULTI-PURPOSE FACILITY IN A DISTRICT ZONED "R-7.5" SINGLE FAMILY DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

51. Planned Development Overlay **PD24-05** (Grapevine Faith Multipurpose Facility) and **Ordinance No. 2024-086**.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 5-1-1.

Motion was made to approve Planned Development Overlay **PD24-05** (Grapevine Faith Multipurpose Facility) and **Ordinance No. 2024-086**.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal

Nays: None
Approved: 7-0

ORDINANCE NO. 2024-086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING PLANNED DEVELOPMENT OVERLAY PD24-05 TO DEVIATE FROM MAXIMUM HEIGHT REGULATIONS FOR A SECONDARY STRUCTURE, (730 EAST WORTH) ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS PLANNED DEVELOPMENT OVERLAY PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

52. Special Use Permit SU24-02 (121 Community Church Recreation Area) and Ordinance No. 2024-087.

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Special Use Permit **SU24-02** (121 Community Church Recreation Area) and **Ordinance No. 2024-087.**

Motion: Rogers
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O’Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024 -087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING SPECIAL USE PERMIT SU24-02 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF SU15-02 (ORD. 2015-021) FOR A PLANNED COMMERCIAL CENTER TO ALLOW A CHURCH IN A NON-

RESIDENTIAL ZONING DISTRICT, SPECIFICALLY TO ALLOW THE CONSTRUCTION OF AN OUTDOOR PAVILLION, SOCCER FIELD AND PICKLEBALL COURT TO THE EXISTING 121 COMMUNITY CHURCH FOR BLOCK 1, LOT 1R, PHILLIPPIANS ADDITION (2701 IRA E. WOODS AVENUE) IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Motion was made to adjourn the meeting at 9:12 p.m.

Motion: Coy
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Passed and approved by the City Council of the City of Grapevine, Texas on this the 1st day of October, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Suzanne Le
Assistant to the City Secretary